MANUAL

FOR THE

GENERAL COURT

2011-12

2012

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MANUAL

FOR THE

ENSE PETIT PLACIDAM SVB LIBERTATE QVIETEM

GENERAL COURT

The Commonwealth of
Massachusetts

A MANUAL

FOR THE USE OF THE

GENERAL COURT

FOR

2011-12

Prepared under Section 11 of Chapter 5 of the General Laws, as most recently amended by Chapter 451 of the Acts of 2008.

BY

WILLIAM F. WELCH
CLERK OF THE SENATE

AND

STEVEN T. JAMES
CLERK OF THE HOUSE

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DECLARATION OF INDEPENDENCE

DECLARATION OF INDEPENDENCE.

A DECLARATION BY THE REPRESENTATIVES OF THE UNITED STATES OF AMERICA IN CONGRESS ASSEMBLED.

[July 4, 1776.]

When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the Powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security. Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.

He has refused his Assent to Laws, the most wholesome and necessary for the public good.

He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended; he has utterly neglected to attend to them.

He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the Depository of their Public Records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative Powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the meantime exposed to all the dangers of invasion from without, and convulsions within.

He has endeavored to prevent the Population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary Powers.

He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of New Offices, and sent hither swarms of Officers to harrass our People, and eat out their substance.

He has kept among us, in times of peace, Standing Armies without the Consent of our legislature.

He has affected to render the Military independent of and superior to the Civil Power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation:

For quartering large bodies of armed troops among us:

For protecting them, by a mock trial, from Punishment for any Murders which they should commit on the Inhabitants of these States:

For cutting off our Trade with all parts of the world:

For imposing Taxes on us without our Consent:

For depriving us in many cases, of the benefits of Trial by Jury:

For transporting us beyond Seas to be tried for pretended offenses:

For abolishing the free System of English Laws in a neighboring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies:

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:

For suspending our own Legislatures, and declaring themselves invested with Power to legislate for us in all cases whatsoever.

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our People.

He is at this time transporting large Armies of foreign Mercenaries to compleat the works of death, desolation and tyranny, already begun with circumstances of Cruelty & perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.

He has constrained our fellow-Citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.

He has excited domestic insurrections amongst us, and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.

In every stage of these Oppressions We have Petitioned for Redress in the most humble terms: Our repeated Petitions have been answered only by repeated injury. A Prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free People.

Nor have We been wanting in attentions to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which, would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.

We, therefore, the REPRESENTATIVES OF THE UNITED STATES OF AMERICA, IN GENERAL CONGRESS, Assembled, appealing to the Supreme Judge of the World for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly PUBLISH

AND DECLARE, That these United Colonies are, and of Right ought to be FREE AND INDEPENDENT States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as FREE AND INDEPENDENT STATES, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which INDEPENDENT STATES may of right do. And for the support of this Declaration, with a firm reliance on the Protection of Divine Providence. We mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

The foregoing declaration was, by order of Congress, engrossed and signed by the following members:

JOHN HANCOCK,

New Hampshire.

JOSIAH BARTLETT,
WM. WHIPPLE,
MATTHEW THORNTON.

Massachusetts Bay.

SAML. ADAMS,
JOHN ADAMS,
ROBT. TREAT PAINE,
ELBRIDGE GERRY.

Rhode Island, etc.

STEP. HOPKINS,
WILLIAM ELLERY.

Connecticut.

ROGER SHERMAN,
SAM'EL HUNTINGTON,
WM. WILLIAMS,
OLIVER WOLCOTT.

New York.

WM. FLOYD,
PHIL LIVINGSTON,
FRANS. LEWIS,
LEWIS MORRIS.

New Jersey.

RICHD. STOCKTON,
JNO. WITHERSPOON,
FRAS. HOPKINSON,
JOHN HART,
ABRA. CLARK.

Pennsylvania.

Robt. Morris,
Benjamin Rush,
Benja. Franklin,
John Morton,
Geo. Clymer,
Jas. Smith,
Geo. Taylor,
James Wilson,
Geo. Ross.

Delaware.

Cesar Rodney,
Geo. Read,
Tho. M'Kean.

Maryland.

Samuel Chase,
Wm. Paca,
Thos. Stone,
Charles Carroll of
Carrollton.

Virginia.

George Wythe,
Richard Henry Lee,
Th. Jefferson,
Benja. Harrison,
Thos. Nelson, jr.,
Francis Lightfoot Lee,
Carter Braxton.

North Carolina.

Wm. Hooper,
Joseph Hewes,
John Penn,

South Carolina.

Edward Rutledge,
Thos. Heyward, junr.,
Thomas Lynch, junr.,
Arthur Middleton.

Georgia.

Button Gwinnett,
Lyman Hall,
Geo. Walton.

Resolved, That copies of the Declaration be sent to the several assemblies, conventions, and committees or councils of safety, and to the several commanding officers of the Continental Troops: That it be proclaimed in each of the United States, and at the Head of the Army. — [Jour. Cong., vol. 1, p. 396.]

CONSTITUTION
OF THE
UNITED STATES OF AMERICA

CONSTITUTION OF THE UNITED STATES OF AMERICA.

PREAMBLE.

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We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

Article I.

Section 1. All legislative powers herein granted shall be vested in a congress of the United States, which shall consist of a senate and house of representatives.

Sect. 2. The house of representatives shall be composed of members chosen every second year by the people of the several states, and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature.

No person shall be a representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state in which he shall be chosen.

*Representatives and direct taxes shall be apportioned among the several states which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of representatives shall not exceed one for every thirty thousand, but each state shall have at least one representative; and until such enumeration shall be made, the state of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the representation from any state, the executive authority thereof shall issue writs of election to fill such vacancies.

The house of representatives shall choose their speaker and other officers; and shall have the sole power of impeachment.

SECT. 3. †[The senate of the United States shall be composed of two senators from each state, chosen by the legislature thereof, for six years; and each senator shall have one vote.]

Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year, so that one-third may be chosen every second year; †[and if vacancies happen by resignation, or otherwise, during the recess of the legislature of any state, the executive thereof may make temporary appointments until the next meeting of the legislature, which shall then fill such vacancies].

No person shall be a senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state for which he shall be chosen.

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*See Section 2 of Fourteenth Amendment.

†See Seventeenth Amendment.

The vice-president of the United States shall be president of the senate, but shall have no vote, unless they be equally divided.

The senate shall choose their other officers, and also a president *pro tempore*, in the absence of the vice-president, or when he shall exercise the office of president of the United States.

The senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the president of the United States is tried, the chief justice shall preside: and no person shall be convicted without the concurrence of two-thirds of the members present.

Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under the United States: but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment, according to law.

SECT. 4. The times, places and manner of holding elections for senators and representatives, shall be prescribed in each state by the legislature thereof; but the congress may at any time by law make or alter such regulations, except as to the places of choosing senators.

*[The congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.]

SECT. 5. Each house shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner, and under such penalties as each house may provide.

Each house may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member.

Each house shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the yeas and nays of the members of either house on any question shall, at the desire of one-fifth of those present, be entered on the journal.

Neither house, during the session of congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting.

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*See Twentieth Amendment.

SECT. 6. The senators and representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States. They shall in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session of their respective houses, and in going to and returning from the same; and for any speech or debate in either house, they shall not be questioned in any other place.

No senator or representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the United States, shall be a member of either house during his continuance in office.

SECT. 7. All bills for raising revenue shall originate in the house of representatives; but the senate may propose or concur with amendments as on other bills.

Every bill which shall have passed the house of representatives and the senate, shall, before it become a law, be presented to the president of the United States; if he approve he shall sign it, but if not he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of that house, it shall become a law. But in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each house respectively. If any bill shall not be returned by the president within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the congress by their adjournment prevent its return, in which case it shall not be a law.

Every order, resolution, or vote to which the concurrence of the senate and house of representatives may be necessary (except on a question of adjournment) shall be presented to the president of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the senate and house of representatives, according to the rules and limitations prescribed in the case of a bill.

SECT. 8. The congress shall have power — to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States; — to borrow money on the credit of the United States; — to regulate commerce with foreign nations, and among the several states, and with the Indian tribes; — to establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States; — to coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures; — to provide for the punishment of counterfeiting the securities and current coin of the United States; — to establish post offices and post roads; — to promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries; — to constitute tribunals inferior to the supreme court; — to define and punish piracies and felonies committed on the high seas, and offences against the law of nations; — to declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water; — to raise and support armies, but no appropriation of money to that use shall be for a longer term than two years; — to provide and maintain a navy; — to make rules for the government and regulation of the land and naval forces; — to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions; — to provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the states respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by congress; — to exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dock yards, and other needful buildings; — and to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or officer thereof.

SECT. 9. The migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the congress prior to the year one thousand eight hundred and eight, but a tax or duty may be imposed on such importation, not exceeding ten dollars for each person.

The privilege of the writ of *habeas corpus* shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

No bill of attainder or *ex post facto* law shall be passed.

No capitation, or other direct tax, shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

No tax or duty shall be laid on articles exported from any state.

No preference shall be given by any regulation of commerce or revenue to the ports of one state over those of another; nor shall vessels bound to, or from, one state, be obliged to enter, clear or pay duties in another.

No money shall be drawn from the treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

No title of nobility shall be granted by the United States; and no person holding any office of profit or trust under them shall, without the consent of the congress, accept of any present, emolument, office or title, of any kind whatever, from any king, prince, or foreign state.

SECT. 10. No state shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make any thing but gold and silver coin a tender in payment of debts; pass any bill of attainder, *ex post facto* law, or law impairing the obligation of contracts, or grant any title of nobility. No state shall, without the consent of the congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws: and the net produce of all duties and imposts, laid by any state on imports or exports, shall be for the use of the treasury of the United States; and all such laws shall be subject to the revision and control of the congress. No state shall, without the consent of congress, lay any duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another state, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay.

ARTICLE II.

SECTION 1. The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years, and, together with the vice-president, chosen for the same term, be elected, as follows: —

Each state shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of senators and representatives to which the state may be entitled in the congress; but no senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

*[The electors shall meet in their respective states, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same state with themselves. And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the president of the senate. The president of the senate shall, in the presence of the senate and house of representatives, open all the certificates, and the votes shall then be counted. The person having the greatest number of votes shall be the president, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the house of representatives shall immediately choose by ballot one of them for president; and if no person have a majority, then from the five highest on the list the said house shall in like manner choose the president. But in choosing the president, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. In every case, after the choice of the president, the person having the greatest number of votes of the electors shall be the vice-president. But if there should remain two or more who have equal votes, the senate shall choose from them by ballot the vice-president.]

The congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

No person except a natural born citizen, or a citizen of the United States, at the time of the adoption of this constitution, shall be eligible to the office of president; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years, and been fourteen years a resident within the United States.

In case of the removal of the president from office, or of his death, resignation or inability to discharge the powers and duties of the said office, the same shall devolve on the vice-president, and the congress may by law provide for the case of removal, death, resignation, or inability, both of the president and vice-president, declaring what officer shall then act as president, and such officer shall act accordingly, until the disability be removed, or a president shall be elected.

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*See Twelfth Amendment.

The president shall, at stated times, receive for his services, a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the United States, or any of them.

Before he enter on the execution of his office, he shall take the following oath or affirmation: —

"I do solemnly swear (or affirm) that I will faithfully execute the office of president of the United States, and will to the best of my ability, preserve, protect and defend the constitution of the United States."

SECT. 2. The president shall be commander-in-chief of the army and navy of the United States, and of the militia of the several states, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment.

He shall have power, by and with the advice and consent of the senate, to make treaties, provided two-thirds of the senators present concur; and he shall nominate, and by and with the advice and consent of the senate, shall appoint ambassadors, other public ministers and consuls, judges of the supreme court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law: but the congress may by law vest the appointment of such inferior officers, as they think proper, in the president alone, in the courts of law, or in the heads of departments.

The president shall have power to fill up all vacancies that may happen during the recess of the senate, by granting commissions which shall expire at the end of their next session.

SECT. 3. He shall from time to time give to the congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

SECT. 4. The president, vice-president, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

ARTICLE III.

SECTION 1. The judicial power of the United States shall be vested in one supreme court, and in such inferior courts as the congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office.

SECT. 2. The judicial power shall extend to all cases, in law and equity, arising under this constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; — to all cases affecting ambassadors, other public ministers, and consuls; — to all cases of admiralty and maritime jurisdiction; — to controversies to which the United States shall be a party; — to controversies between two or more states; — between a state and citizens of another state; — between citizens of different states; — between citizens of the same state claiming lands under grants of different states, and between a state, or the citizens thereof, and foreign states, citizens or subjects.

In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be a party, the supreme court shall have original jurisdiction. In all the other cases before mentioned, the supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the congress shall make.

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the congress may by law have directed.

SECT. 3. Treason against the United States, shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No persons shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

The congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture except during the life of the person attainted.

ARTICLE IV.

SECTION 1. Full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other state. And the congress may by general laws prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

SECT. 2. The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

A person charged in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall, on demand of the executive authority of the state from which he fled, be delivered up to be removed to the state having jurisdiction of the crime.

No person held to service or labor in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.

SECT. 3. New states may be admitted by the congress into this Union; but no new state shall be formed or erected within the jurisdiction of any other state; nor any state be formed by the junction of two or more states, or parts of states, without the consent of the legislatures of the states concerned as well as of the congress.

The congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this constitution shall be so construed as to prejudice any claims of the United States or of any particular state.

SECT. 4. The United States shall guarantee to every state in this Union a republican form of government, and shall protect each of them against invasion, and on application of the legislature, or of the executive (when the legislature cannot be convened) against domestic violence.

ARTICLE V.

The congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this constitution, or, on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this constitution, when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by congress; provided that no amendment which may be made prior to the year one thousand eight hundred and eight shall in any manner affect the first and fourth clauses in the ninth section of the first article; and that no state, without its consent, shall be deprived of its equal suffrage in the senate.

ARTICLE VI.

All debts contracted and engagements entered into before the adoption of this constitution, shall be as valid against the United States under this constitution, as under the confederation.

This constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, any thing in the constitution or laws of any state to the contrary notwithstanding.

The senators and representatives before mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation, to support this constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

ARTICLE VII.

The ratification of the conventions of nine states, shall be sufficient for the establishment of this constitution between the states so ratifying the same.

ARTICLES
IN ADDITION TO, AND AMENDMENT OF,

The Constitution of the United States of America, proposed by congress, and ratified by the legislatures of the several states, pursuant to the fifth article of the original constitution.

ARTICLE I. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

ART. II. A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

ART. III. No soldier shall, in time of peace, be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

ART. IV. The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

ART. V. No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty or property, without due process of law; nor shall private property be taken for public use, without just compensation.

ART. VI. In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defence.

Art. VII. In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any court of the United States, than according to the rules of the common law.

Art. VIII. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Art. IX. The enumeration in the constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Art. X. The powers not delegated to the United States by the constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

Art. XI. The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another state, or by citizens or subjects of any foreign state.

Art. XII. The electors shall meet in their respective states, and vote by ballot for president and vice-president, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as president, and in distinct ballots the person voted for as vice-president, and they shall make distinct lists of all persons voted for as president, and of all persons voted for as vice-president, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the president of the senate; — the president of the senate shall, in presence of the senate and house of representatives, open all the certificates and the votes shall then be counted; — the person having the greatest number of votes for president, shall be the president, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as president, the house of representatives shall choose immediately, by ballot, the president. But in choosing the president, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the house of representatives shall not choose a president whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the vice-president shall act as president, as in the case of the death or other constitutional disability of the president.

The person having the greatest number of votes as vice-president, shall be the vice-president, if such number be a majority of the whole number of electors, appointed, and if no person have a majority, then from the two highest numbers on the list, the senate shall choose the vice-president; a quorum for the purpose shall consist of two-thirds of the whole number of senators, and a majority of the whole number shall be necessary to a choice.

But no person constitutionally ineligible to the office of president shall be eligible to that of vice-president of the United States.

ART. XIII. SECT. 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States or any place subject to their jurisdiction.

SECT. 2. Congress shall have power to enforce this article by appropriate legislation.

ART. XIV. SECT. 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

SECT. 2. Representatives shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for president and vice-president of the United States, representatives in congress, the executive and judicial officers of a state, or the members of the legislature thereof, is denied to any of the male inhabitants of such state, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such state.

SECT. 3. No person shall be a senator, or representative in congress, or elector of president and vice-president, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath, as a member of congress, or as an officer of the United States, or as a member of any state legislature, or as an executive or judicial officer of any state, to support the constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But congress may, by a vote of two-thirds of each house, remove such disability.

SECT. 4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned.

But neither the United States, nor any state, shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

SECT. 5. The congress shall have power to enforce, by appropriate legislation, the provisions of this article.

ART. XV. Sect. 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States, or by any state, on account of race, color, or previous condition of servitude.

SECT. 2. The congress shall have power to enforce this article by appropriate legislation.

ART. XVI. The congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several states, and without regard to any census or enumeration.

ART. XVII.* The senate of the United States shall be composed of two senators from each state, elected by the people thereof, for six years; and each senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislatures.

When vacancies happen in the representation of any state in the senate, the executive authority of such state shall issue writs of election to fill such vacancies: *provided*, that the legislature of any state may empower the executive thereof to make temporary appointment until the people fill the vacancies by election as the legislature may direct.

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* "In lieu of the first paragraph of section three of article I of the constitution of the United States, and in lieu of so much of paragraph two of the same section as relates to the filling of vacancies."

This amendment shall not be so construed as to affect the election or term of any senator chosen before it becomes valid as part of the constitution.

†[ART. XVIII. SECT. 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

SECT. 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

SECT. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.]

ART. XIX. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

Congress shall have power to enforce this article by appropriate legislation.

ART. XX. SECT. 1. The terms of the President and Vice President shall end at noon on the 20th day of January, and the terms of Senators and Representatives at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin.

SECT. 2. *The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3d day of January, unless they shall by law appoint a different day.

SECT. 3. If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such persons shall act accordingly until a President or Vice President shall have qualified.

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†Repealed. See Twenty-first Amendment.

*"In lieu of the second paragraph of section 4 of article I of the constitution of the United States."

SECT. 4. The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them.

SECT. 5. Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article.

SECT. 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission.

ART. XXI. SECT. 1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed.

SECT. 2. The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

SECT. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress.

ART. XXII. SECT. 1. No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term.

SECT. 2. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress.

ART. XXIII. SECT. 1. The District constituting the seat of Government of the United States shall appoint in such manner as the Congress may direct:

A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

SECT. 2. The Congress shall have power to enforce this article by appropriate legislation.

ART. XXIV. SECT. 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

SECT. 2. The Congress shall have power to enforce this article by appropriate legislation.

ART. XXV. SECT. 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

SECT. 2. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress.

Sect. 3. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President.

Sect. 4. Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.

Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office.

Art. XXVI. Sect. 1. The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

Sect. 2. The Congress shall have the power to enforce this article by appropriate legislation.

Art. XXVII. No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.

[Note: The constitution was adopted September 17, 1787, by the unanimous consent of the states present in the convention appointed in pursuance of the resolution of the congress of the confederation of February 21, 1787, and was ratified by the conventions of the several states, as follows: viz.: By convention of *Delaware*, December 7, 1787; *Pennsylvania,* December 12, 1787; *New Jersey*, December 18, 1787; *Georgia,* January 2, 1788; *Connecticut,* January 9, 1788; *Massachusetts,* February 6, 1788; *Maryland,* April 28, 1788; *South Carolina*, May 23, 1788; *New Hampshire*, June 21, 1788; *Virginia*, June 26, 1788; *New York*, July 26, 1788; *North Carolina*, November 21, 1789; *Rhode Island*, May 29, 1790.

The first ten amendments were proposed to the legislatures of the several states at the first session of the first congress of the United States, September 25, 1789, and were finally ratified by the constitutional number of states on December 15, 1791. Subsequently they were ratified by Massachusetts on March 2, 1939.

The eleventh amendment was proposed to the legislatures of the several states at the first session of the third congress, March 5, 1794, and was declared in a message from the President of the United States to both houses of congress, dated January 8, 1798, to have been adopted by the legislatures of three-fourths of the states.

The twelfth amendment was proposed to the legislatures of the several states at the first session of the eighth congress, December 12, 1803, and was ratified by the legislatures of three-fourths of the states in 1804, according to a public notice thereof by the secretary of state, dated September 25 of the same year.

The thirteenth amendment was proposed to the legislatures of the several states by the thirty-eighth congress on February 1, 1865, and was declared, in a proclamation of the secretary of state, dated December 18, 1865, to have been ratified by the legislatures of three-fourths of the states.

The fourteenth amendment was proposed to the legislatures of the several states by the thirty-ninth congress, on June 16, 1866.

On July 20, 1868, the secretary of state of the United States issued his certificate, setting out that it appeared by official documents on file in the department of state that said amendment had been ratified by the legislatures of the states of *Connecticut, New Hampshire, Tennessee, New Jersey, Oregon, Vermont, New York, Ohio, Illinois, West Virginia, Kansas, Maine, Nevada, Missouri, Indiana, Minnesota, Rhode Island, Wisconsin, Pennsylvania, Michigan, Massachusetts, Nebraska* and *Iowa*, and by newly established bodies avowing themselves to be and acting as the legislatures of the states of *Arkansas, Florida, North Carolina, Louisiana, South Carolina* and *Alabama*; that the legislatures of *Ohio* and *New Jersey* had since passed resolutions withdrawing the consent of those states to said amendment; that the whole number of states in the United States was thirty-seven, that the twenty-three states first above named and the six states next above named together, constituted three-fourths of the whole number of states, and certifying that if the resolutions of *Ohio* and *New Jersey*, ratifying said amendment were still in force, notwithstanding their subsequent resolutions, then said amendment had been ratified and so become valid as part of the constitution.

On July 21, 1868, congress passed a resolution reciting that the amendment had been ratified by *Connecticut, Tennessee, New Jersey, Oregon, Vermont, West Virginia, Kansas, Missouri, Indiana, Ohio, Illinois, Minnesota, New York, Wisconsin, Pennsylvania, Rhode Island, Michigan, Nevada, New Hampshire, Massachusetts, Nebraska, Maine, Iowa, Arkansas, Florida, North Carolina, Alabama, South Carolina* and *Louisiana,* being three-fourths of the several states of the Union, and declaring said fourteenth article to be a part of the constitution of the United States, and making it the duty of the secretary of state to duly promulgate it as such.

On July 28, 1868, the secretary of state issued his certificate, reciting the above resolution, and stating that official notice had been received at the department of state that action had been taken by the legislatures of the states in relation to said amendment, as follows: "It was ratified in A.D. 1866, by *Connecticut*, June 30; *New Hampshire*, July 7; *Tennessee*, July 19; *Oregon*, September 19; *Vermont*, November 9. In A.D. 1867, by *New York*, January 10; *Illinois*, January 15; *West Virginia*, January 16; *Kansas*, January 18; *Maine,* January 19; *Nevada*, January 22; *Missouri*, January 26; *Indiana,* January 29; *Minnesota,* February 1; *Rhode Island*, February 7; *Wisconsin*, February 13; *Pennsylvania,* February 13; *Michigan,* February 15; *Massachusetts*, March 20; *Nebraska,* June 15. In A.D. 1868 by *Iowa,* April 3; *Arkansas,* April 6; *Florida,* June 9; *Louisiana*, July 9; and *Alabama*, July 13.

It was first ratified and the ratification subsequently withdrawn by *New Jersey*, ratified September 11, 1866, withdrawn April, 1868; *Ohio*, ratified January 11, 1867, and withdrawn January, 1868.

It was first rejected and then ratified by *Georgia*, rejected November 13, 1866, ratified July 21, 1868; *North Carolina*, rejected December 4, 1866, ratified July 4, 1868; *South Carolina,* rejected December 20, 1866, ratified July 9, 1868.

It was rejected by *Texas*, November 1, 1866; *Virginia,* January 9, 1867; *Kentucky*, January 10, 1867; *Delaware,* February 7, 1867; and *Maryland,* March 23, 1867.

And on said July 28, 1868, and in execution of the act proposing the amendment and of the concurrent resolution of congress above mentioned and in pursuance thereof, the secretary of state directed that said amendment to the constitution be published in the newspapers authorized to promulgate the laws of the United States, and certified that it had been adopted in the manner above specified by the states named in said resolution, and that it "has become valid to all intents and purposes as a part of the constitution of the United States."

Subsequently, it was ratified by *Virginia*, October 8, 1869, by *Georgia* again, February 2, 1870, and by *Texas,* February 18, 1870.

The fifteenth amendment was proposed to the legislatures of the several states by the fortieth congress on February 27, 1869, and was declared, in a proclamation of the secretary of state, dated March 30, 1870, to have been ratified by the legislatures of the constitutional number of states and to have "become valid to all intents and purposes as part of the constitution of the United States."

The sixteenth amendment was proposed to the legislatures of the several states by the sixty-first congress, at its first session, in 1909. On February 25, 1913, the secretary of state made proclamation to the effect that, from official documents on file in the department, it appeared that the amendment had been ratified by the legislatures of the states of *Alabama, Kentucky, South Carolina, Illinois, Mississippi, Oklahoma, Maryland, Georgia, Texas, Ohio, Idaho, Oregon, Washington, California, Montana, Indiana, Nevada, North Carolina, Nebraska, Kansas, Colorado, North Dakota, Michigan, Iowa, Missouri, Maine, Tennessee. Arkansas, Wisconsin, New York, South Dakota, Arizona, Minnesota, Louisiana, Delaware* and *Wyoming*, in all thirty-six; and further, that the states whose legislatures had so ratified the said proposed amendment constituted three-fourths of the whole number of states in the United States; and, further, that it appeared from official documents on file in the department that the legislatures of *New Jersey* and *New Mexico* had passed resolutions ratifying the said proposed amendment. He further certified that the amendment had "become valid to all intents and purposes as a part of the constitution of the United States."

The seventeenth amendment was proposed to the legislatures of the several states by the sixty-second congress, at its second session, in 1912. On May 31, 1913, the secretary of state made proclamation to the effect that, from official documents on file in the department, it appeared that the amendment had been ratified by the legislatures of the states of *Massachusetts, Arizona, Minnesota, New York, Kansas, Oregon, North Carolina, California, Michigan, Idaho, West Virginia, Nebraska, Iowa, Montana, Texas, Washington, Wyoming, Colorado, Illinois, North Dakota, Nevada, Vermont, Maine, New Hampshire, Oklahoma, Ohio, South Dakota, Indiana, Missouri, New Mexico, New Jersey, Tennessee, Arkansas, Connecticut, Pennsylvania and Wisconsin*; and, further, that the states whose legislatures had so ratified the said proposed amendment constituted three-fourths of the whole number of states in the

United States. He further certified that the amendment had "become valid to all intents and purposes as a part of the constitution of the United States."

The eighteenth amendment was proposed to the legislatures of the several states by the sixty-fifth congress, at its second session, in 1917. On January 29, 1919, the acting secretary of state made proclamation to the effect that, from official documents on file in the department, it appeared that the amendment had been ratified by the legislatures of the states of *Alabama, Arizona, California, Colorado, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Montana, Nebraska, New Hampshire, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, South Carolina, Texas, Utah, Virginia, Washington, West Virginia, Wisconsin* and *Wyoming*; and, further, that the states whose legislatures had so ratified the said proposed amendment constituted three-fourths of the whole number of states in the United States. He further certified that the amendment had "become valid to all intents and purposes as a part of the constitution of the United States."

The nineteenth amendment was proposed to the legislatures of the several states by the sixty-sixth congress, at its first session, in 1919. On August 26, 1920, the secretary of state made proclamation that, from official documents on file in the department, it appeared that the amendment had been ratified by the legislatures of the states of *Arizona, Arkansas, California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Texas, Utah, Washington, West Virginia, Wisconsin* and *Wyoming;* and, further, that the states whose legislatures had so ratified the said proposed amendment constituted three-fourths of the whole number of states in the United States. He further certified that the amendment had "become valid to all intents and purposes as a part of the constitution of the United States."

The twentieth amendment was proposed to the legislatures of the several states by the seventy-second congress, at its first session, in 1931. On February 6, 1933, the secretary of state made proclamation that, from official documents on file in the department, it appeared that the amendment had been ratified by the legislatures of the states of *Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Georgia, Idaho, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Jersey, New York, North Carolina,* *North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Texas, Utah, Virginia, Washington, West Virginia, Wisconsin* and *Wyoming*; and, further, that the states whose legislatures had so ratified the said proposed amendment constituted more than the requisite three-fourths of the whole number of states in the United States. He further certified that the amendment had "become valid to all intents and purposes as a part of the constitution of the United States."

The twenty-first amendment was proposed to conventions of the several states by the seventy-second congress, at its second session, in 1933. On December 5, 1933, the acting secretary of state made proclamation that, from official notices received at the department, it appeared that the amendment had been ratified by conventions in the states of *Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Idaho, Illinois, Indiana, Iowa, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nevada, New Hampshire, New Jersey, New Mexico, New York, Ohio, Oregon, Pennsylvania, Rhode Island, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin* and *Wyoming;* and, further, that the states wherein conventions had so ratified the said proposed amendment constituted the requisite three-fourths of the whole number of states in the United States. He further certified that the amendment had "become valid to all intents and purposes as a part of the constitution of the United States."

The twenty-second amendment was proposed to the legislatures of the several states by the eightieth congress, at its first session, in 1947. On March 1, 1951, the administrator of general services certified that from official documents on file in the general services administration it appeared that the amendment had been ratified by the legislatures of the states of *Arkansas, California, Colorado, Connecticut, Delaware, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Maine, Michigan, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Wisconsin* and *Wyoming*; and, further, that the states whose legislatures had so ratified the said proposed amendment constituted the requisite three-fourths of the whole number of states in the United States. He further certified that the amendment had "become valid to all intents and purposes as a part of the constitution of the United States."

The twenty-third amendment was proposed by Congress on June 16, 1960. On April 3, 1961, the administrator of general services certified that from official documents on file in the general services administration it appeared that the amendment had been ratified by the legislatures of the states of *Alaska, Arizona, California, Colorado, Connecticut, Delaware, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Utah, Vermont, Washington, West Virginia, Wisconsin* and *Wyoming;* and further that the states whose legislatures had so ratified the said proposed amendment constituted the requisite three-fourths of the whole number of states in the United States. He further certified that the amendment had "become valid to all intents and purposes as a part of the constitution of the United States."

The twenty-fourth amendment was proposed by Congress on August 27, 1962. On February 4, 1964, the administrator of general services certified that from official documents on file in the general services administration it appeared that the amendment had been ratified by the legislatures of the states of *Alaska, California, Colorado, Connecticut, Delaware, Florida, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Dakota, Ohio, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Utah, Vermont, Washington, West Virginia* and *Wisconsin*; and further that the states whose legislatures had so ratified the said proposed amendment constituted the requisite three-fourths of the whole number of states in the United States. He further certified that the amendment had "become valid to all intents and purposes as a part of the constitution of the United States."

The twenty-fifth amendment was proposed by Congress on January 6, 1965. On February 27, 1967, the administrator of general services certified that from official documents on file in the general services administration it appeared that the amendment had been ratified by the legislatures of the states of *Alaska, Arizona, Arkansas, California, Colorado, Delaware, Hawaii, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, Oklahoma, Oregon, Pennsylvania, Rhode Island, Tennessee, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin* and *Wyoming;* and further that the states whose legislatures had so ratified the said proposed amendment constituted the requisite three-fourths of the whole number of states in the United States. He further certified that the amendment had "become valid to all intents and purposes as a part of the constitution of the United States."

The twenty-sixth amendment to the Constitution of the United States was submitted to the several states by a joint resolution of Congress, at the first session, ninety-second Congress, begun January 21, 1971, and was certified by the Administrator of General Services on July 5, 1971, 36 Fed. Reg. 12725, to have been ratified by the legislatures of *Alabama, Arkansas, Arizona, California, Colorado, Connecticut, Delaware, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Washington, West Virginia,* and *Wisconsin.*

The twenty-seventh amendment was submitted to the several states pursuant to a resolution passed by the first Congress of the United States, at its first session, on Sept. 25, 1789, and was certified by the Archivist of the United States on May 19, 1992, 57 Fed. Reg. 21187, to have been ratified by the legislatures of the states of *Alabama, Alaska, Arizona, Arkansas, Colorado, Connecticut, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Maine, Maryland, Michigan, Minnesota, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, West Virginia, Wisconsin*, and *Wyoming.*]

CONSTITUTION

OR

FORM OF GOVERNMENT

FOR THE

COMMONWEALTH OF MASSACHUSETTS

CONSTITUTION OR FORM OF GOVERNMENT FOR THE COMMONWEALTH OF MASSACHUSETTS

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PREAMBLE.

The end of the institution, maintenance and administration of government, is to secure the existence of the body politic, to protect it, and to furnish the individuals who compose it, with the power of enjoying in safety and tranquility their natural rights, and the blessings of life: and whenever these great objects are not obtained, the people have a right to alter the government, and to take measures necessary for their safety, prosperity, and happiness.

The body politic is formed by a voluntary association of individuals: it is a social compact, by which the whole people covenants with each citizen, and each citizen with the whole people, that all shall be governed by certain laws for the common good. It is the duty of the people, therefore, in framing a constitution of government, to provide for an equitable mode of making laws, as well as for an impartial interpretation, and a faithful execution of them; that every man may, at all times, find his security in them.

We, therefore, the people of Massachusetts, acknowledging, with grateful hearts, the goodness of the great Legislator of the universe, in affording us, in the course of His providence, an opportunity, deliberately and peaceably, without fraud, violence or surprise, of entering into an original, explicit, and solemn compact with each other; and of forming a new constitution of civil government, for ourselves and posterity; and devoutly imploring His direction in so interesting a design, do agree upon, ordain and establish, the following *Declaration of Rights, and Frame of Government,* as the CONSTITUTION OF THE COMMONWEALTH OF MASSACHUSETTS.

PART THE FIRST.

A Declaration of the Rights of the Inhabitants of the Commonwealth of Massachusetts.

Article I. All men are born free and equal, and have certain natural, essential and unalienable rights; among which may be reckoned the right of enjoying and defending their lives and liberties; that of acquiring, possessing, and protecting property; in fine, that of seeking and obtaining their safety and happiness. [Annulled by Amendments, Art. CVI.]

Art. II. It is the right as well as the duty of all men in society, publicly, and at stated seasons to worship the Supreme Being, the great Creator and Preserver of the universe. And no subject shall be hurt, molested, or restrained, in his person, liberty, or estate, for worshipping GOD in the manner and season most agreeable to the dictates of his own conscience, or for his religious procession or sentiments; provided he doth not disturb the public peace, or obstruct others in their religious worship. [See Amendments, Arts. XLVI and XLVIII.]

Art. III. [As the happiness of a people, and the good order and preservation of civil government, essentially depend upon piety, religion, and morality; and as these cannot be generally diffused through a community, but by the institution of the public worship of GOD, and of public instructions in piety, religion and morality; Therefore, to promote their happiness and to secure the good order and preservation of their government, the people of this Commonwealth have a right to invest their legislature with power to authorize and require, and the legislature shall, from time to time, authorize and require, the several towns, parishes, precincts, and other bodies politic, or religious societies, to make suitable provision, at their own expense, for the institution of the public worship of GOD, and for the support and maintenance of public Protestant teachers of piety, religion and morality, in all cases where such provision shall not be made voluntarily.

And the people of this Commonwealth have also a right to, and do, invest their legislature with authority to enjoin upon all the subjects an attendance upon the instructions of the public teachers aforesaid, at stated times and seasons, if there be any on whose instructions they can conscientiously and conveniently attend.

Provided notwithstanding, that the several towns, parishes, precincts, and other bodies politic, or religious societies, shall, at all times, have the exclusive right of electing their public teachers, and of contracting with them for their support and maintenance.

And all moneys, paid by the subject to the support of public worship, and of the public teachers aforesaid, shall, if he require it, be uniformly applied to the support of the public teacher or teachers of his own religious sect or denomination, provided there be any on whose instructions he attends; otherwise it may be paid towards the support of the teacher or teachers of the parish or precinct in which the said moneys are raised.

And every denomination of Christians, demeaning themselves peaceably, and as good subjects of the Commonwealth, shall be equally under the protection of the law: and no subordination of any one sect or denomination to another shall ever be established by law.] [Art. XI of Amendments substituted for this.]

Art. IV. The people of this Commonwealth have the sole and exclusive right of governing themselves, as a free, sovereign, and independent state; and do, and forever hereafter shall, exercise and enjoy every power, jurisdiction, and right, which is not, or may not hereafter, be by them expressly delegated to the United States of America in Congress assembled.

Art. V. All power residing originally in the people, and being derived from them, the several magistrates and officers of government, vested with authority, whether legislative, executive, or judicial, are their substitutes and agents, and are at all times accountable to them.

Art. VI. No man, nor corporation, or association of men, have any other title to obtain advantages, or particular and exclusive privileges, distinct from those of the community, than what arises from the consideration of services rendered to the public; and this title being in nature neither hereditary, nor transmissible to children, or descendants, or relations by blood, the idea of a man born a magistrate, lawgiver, or judge, is absurd and unnatural.

Art. VII. Government is instituted for the common good; for the protection, safety, prosperity, and happiness of the people; and not for the profit, honor, or private interest of any one man, family or class of men: Therefore the people alone have an incontestable, unalienable, and indefeasible right to institute government; and to reform, alter, or totally change the same, when their protection, safety, prosperity and happiness require it.

Art. VIII. In order to prevent those, who are vested with authority, from becoming oppressors, the people have a right, at such periods and in such manner as they shall establish by their frame of government, to cause their public officers to return to private life; and to fill up vacant places by certain and regular elections and appointments.

Art. IX. All elections ought to be free; and all the inhabitants of this Commonwealth, having such qualifications as they shall establish by their frame of government, have an equal right to elect officers, and to be elected, for public employments. [See Amendments, Arts. XLV and XLVIII, The Initiative, II. sec. 2] [For compulsory voting, see Amendments, Art. LXI.] [For use of voting machines at elections, see Amendments, Art. XXXVIII.] [For absent voting, see Amendments, Art. LXXVI.]

Art. X. Each individual of the society has a right to be protected by it in the enjoyment of his life, liberty and property, according to standing laws. He is obliged, consequently, to contribute his share to the expense of this protection; to give his personal service, or an equivalent, when necessary: but no part of the property of any individual, can, with justice, be taken from him, or applied to public uses, without his own consent, or that of the representative body of the people. In fine, the people of this Commonwealth are not controllable by any other laws than those to which their constitutional representative body have given their consent. And whenever the public exigencies require, that the property of any individual should be appropriated to public uses, he shall receive a reasonable compensation therefor. [See Amendments, Arts. XXXIX, XLIII, XLVII, XLVIII, The Initiative, II, sect. 2, LXIX, L, LI and XCVII.]

Art. XI. Every subject of the Commonwealth ought to find a certain remedy, by having recourse to the laws, for all injuries or wrongs which he may receive in his person, property, or character. He ought to obtain right and justice freely, and without being obliged to purchase it; completely, and without any denial; promptly, and without delay; conformably to the laws.

Art. XII. No subject shall be held to answer for any crimes or offence, until the same is fully and plainly, substantially and formally, described to him; or be compelled to accuse, or furnish evidence against himself. And every subject shall have a right to produce all proofs, that may be favorable to him; to meet the witnesses against him face to face, and to be fully heard in his defense by himself, or his counsel, at his election. And no subject shall be arrested, imprisoned, despoiled, or deprived of his property, immunities, or privileges, put out of the protection of the law, exiled, or deprived of his life, liberty, or estate, but by the judgment of his peers, or the law of the land.

And the legislature shall not make any law, that shall subject any person to a capital or infamous punishment, excepting for the government of the army and navy, without trial by jury. [See Amendments, Art. XLVIII, The Initiative, II, sect. 2.]

Art. XIII. In criminal prosecutions, the verification of facts in the vicinity where they happen, is one of the greatest securities of the life, liberty, and property of the citizen.

Art. XIV. Every subject has a right to be secure from all unreasonable searches, and seizures, of his person, his houses, his papers, and all his possessions. All warrants, therefore, are contrary to this right, if the cause or foundation of them be not previously supported by oath or affirmation; and if the order in the warrant to a civil officer, to make search in suspected places, or to arrest one or more suspected persons, or to seize their property, be not accompanied with a special designation of the persons or objects of search, arrest, or seizure: and no warrant ought to be issued but in cases, and with the formalities prescribed by the laws. [See Amendments, Art. XLVIII, The Initiative, II, sect. 2.]

Art. XV. In all controversies concerning property, and in all suits between two or more persons, except in cases in which it has heretofore been otherways used and practiced, the parties have a right to a trial by jury; and this method of procedure shall be held sacred, unless, in causes arising on the high seas, and such as relate to mariners' wages, the legislature shall hereafter find it necessary to alter it. [See Amendments, Art. XLVIII, The Initiative, II, sect. 2.]

Art. XVI. [The liberty of the press is essential to the security of freedom in a state: it ought not, therefore, to be restrained in this Commonwealth.] [See Amendments, Art. XLVIII, The Initiative, II, sect. 2.] [Annulled and superseded by Amendments, Art. LXXVII.]

Art. XVII. The people have a right to keep and to bear arms for the common defense. And as, in time of peace, armies are dangerous to liberty, they ought not to be maintained without the consent of the legislature; and the military power shall always be held in an exact subordination to the civil authority, and be governed by it.

Art. XVIII. A frequent recurrence to the fundamental principles of the constitution, and a constant adherence to those of piety, justice, moderation, temperance, industry, and frugality, are absolutely necessary to preserve the advantages of liberty, and to maintain a free government. The people ought, consequently, to have a particular attention to all those principles, in the choice of their officers and representatives; and they have a right to require of their lawgivers and magistrates an exact and constant observance of them, in the formation and execution of the laws necessary for the good administration of the Commonwealth.

Art. XIX. The people have a right, in an orderly and peaceable manner, to assemble to consult upon the common good: give instructions to their representatives, and to request of the legislative body, by the way of addresses, petitions, or remonstrances, redress of the wrongs done them, and of the grievances they suffer. [See Amendments, Art. XLVIII, The Initiative, II, sect. 2.]

Art. XX. The power of suspending the laws, or the execution of the laws, ought never to be exercised but by the legislature, or by authority derived from it, to be exercised in such particular cases only as the legislature shall expressly provide for. [See Amendments, Arts. XLVIII, I. *Definition* and LXXXIX.]

Art. XXI. The freedom of deliberation, speech and debate in either house of the legislature, is so essential to the rights of the people, that it cannot be the foundation of any accusation or prosecution, action or complaint, in any other court or place whatsoever. [See Amendments, Art. XLVIII, The Initiative, II, sect. 2.]

Art. XXII. The legislature ought frequently to assemble for the redress of grievances, for correcting, strengthening and confirming the laws, and for making new laws, as the common good may require.

Art. XXIII. No subsidy, charge, tax, impost, or duties, ought to be established, fixed, laid, or levied, under any pretext whatsoever, without the consent of the people or their representatives in the legislature.

Art. XXIV. Laws made to punish for actions done before the existence of such laws, and which have not been declared crimes by preceding laws, are unjust, oppressive, and inconsistent with the fundamental principles of a free government.

Art. XXV. No subject ought, in any case, or in any time, to be declared guilty of treason or felony by the legislature.

Art. XXVI. No magistrate or court of law, shall demand excessive bail or sureties, impose excessive fines, or inflict cruel or unusual punishments. [See Amendments, Art. XLVIII, The Initiative, II, sect. 2, and CXVI.]

Art. XXVII. In time of peace, no soldier ought to be quartered in any house without the consent of the owner; and in time of war, such quarters ought not to be made but by the civil magistrate, in a manner ordained by the legislature.

Art. XXVIII. No person can in any case be subjected to law-martial, or to any penalties or pains, by virtue of that law, except those employed in the army or navy, and except the militia in actual service, but by authority of the legislature. [See Amendments, Art. XLVIII, The Initiative, II, sect. 2.]

Art. XXIX. It is essential to the preservation of the rights of every individual, his life, liberty, property and character, that there be an impartial interpretation of the laws, and administration of justice. It is the right of every citizen to be tried by judges as free, impartial and independent as the lot of humanity will admit. It is, therefore, not only the best policy, but for the security of the rights of the people, and of every citizen, that the judges of the supreme judicial court should hold their offices as long as they behave themselves well; and that they should have honorable salaries ascertained and established by standing laws. [See Amendments, Art. XLVIII, The Initiative, II, sect. 2, and The Referendum, III, sect. 2, LXVIII and XCVIII.]

Art. XXX. In the government of this Commonwealth, the legislative department shall never exercise the executive and judicial powers, or either of them: the executive shall never exercise the legislative and judicial powers, or either of them: the judicial shall never exercise the legislative and executive powers, or either of them: to the end it may be a government of laws and not of men.

PART THE SECOND.

The Frame of Government.

The people, inhabiting the territory formerly called the Province of Massachusetts Bay, do hereby solemnly and mutually agree with each other, to form themselves into a free, sovereign, and independent body politic, or state, by the name of THE COMMONWEALTH OF MASSACHUSETTS.

CHAPTER I.

THE LEGISLATIVE POWER.

SECTION I.

The General Court.

Article I. The department of legislation shall be formed by two branches, a Senate and House of Representatives: each of which shall have a negative on the other.

The legislative body shall assemble every year [on the last Wednesday in May, and at such other times as they shall judge necessary; and shall dissolve and be dissolved on the day next preceding the said last Wednesday in May;] and shall be stiled, THE GENERAL COURT OF MASSACHUSETTS. [See Amendments, Arts. X, LXXII and LXXV.]

Art. II. No bill or resolve of the senate or house of representatives shall become a law, and have force as such, until it shall have been laid before the governor for his revisal; and if he, upon such revision, approve thereof he shall signify his approbation by signing the same. But if he have any objection to the passing of such bill or resolve, he shall return the same, together with his objections thereto, in writing, to the senate or house of representatives, in whichsoever the same shall have originated: who shall enter the objections sent down by the governor, at large, on their records, and proceed to reconsider the said bill or resolve. But if after such reconsideration, two thirds of the said senate or house of representatives, shall, notwithstanding the said objections, agree to pass the same, it shall, together with the objections, be sent to the other branch of the legislature, where it shall also be reconsidered, and if approved by two thirds of the members present, shall have the force of a law: but in all such cases, the votes of both houses shall be determined by yeas and nays; and the names of the persons voting for, or against, the said bill or resolve, shall be entered upon the public records of the Commonwealth.

[And in order to prevent unnecessary delays, if any bill or resolve shall not be returned by the governor within five days after it shall have been presented, the same shall have the force of a law.] [See Amendments, Arts. I, XLVIII, LIV, LXIII, sect. 5 and XC, sect. 1.]

Art. III. The general court shall forever have full power and authority to erect and constitute judicatories and courts of record, or other courts, to be held in the name of the Commonwealth, for the hearing, trying, and determining of all manner of crimes, offenses, pleas, processes, plaints, actions, matters, causes and things, whatsoever, arising or happening within the Commonwealth, or between or concerning persons inhabiting, or residing, or brought within the same, whether the same be criminal or civil, or whether the said crimes be capital or not capital, and whether the said pleas be real, personal, or mixed; and for the awarding and making out of execution thereupon. To which courts and judicatories are hereby given and granted full power and authority, from time to time, to administer oaths or affirmations, for the better discovery of truth in any matter in controversy or depending before them. [See Amendments, ART. XLVIII, The Initiative, II, sect. 2, and The Referendum, III, sect. 2.]

Art. IV. And further, full power and authority are hereby given and granted to the said general court, from time to time, to make, ordain, and establish, all manner of wholesome and reasonable orders, laws, statutes, and ordinances, directions and instructions, either with penalties or without; so as the same be not repugnant or contrary to this constitution, as they shall judge to be for the good and welfare of this Commonwealth, and for the government and ordering thereof, and of the subjects of the same, and for the necessary support and defense of the government thereof; and to name and settle annually, or provide by fixed laws, for the naming and settling all civil officers within the said Commonwealth; the election and constitution of whom are not hereafter in this form of government otherwise provided for; and to set forth the several duties, powers and limits, of the several civil and military officers of this Commonwealth, and the forms of such oaths or affirmations as shall be respectively administered unto them for the execution of their several offices and places, so as the same be not repugnant or contrary to this constitution; and to impose and levy proportional and reasonable assessments, rates and taxes, upon all the inhabitants of, and persons resident, and estates lying, within the said Commonwealth; and also to impose and levy, reasonable duties and excises, upon any produce, goods, wares, merchandise, and commodities, whatsoever, brought into, produced, manufactured, or being within the same; to be issued and disposed of by warrant, under the hand of the governor of this Commonwealth for the time being, with the advice and consent of the council, for the public service, in the necessary defense and support of the government of the said Commonwealth, and the protection and preservation of the subjects thereof, according to such acts as are or shall be in force within the same.

And while the public charges of government, or any part thereof, shall be assessed on polls and estates, in the manner that has hitherto been practiced, in order that such assessments may be made with equality, there shall be a valuation of estates within the Commonwealth taken anew once in every ten years at least, and as much oftener as the general court shall order. [See Amendments, ARTS. XLI, XLIV, XCIX and CXII.]

[For the authority of the general court to charter cities and establish limited town meeting form of government, see Amendments, ARTS. II and LXX.

For power of the general court to establish voting precincts in towns, see Amendments, ART. XXIX.

For additional taxing power given to the general court, see Amendments, ARTS. XLI and XLIV.

For the authority of the general court to take land, etc., for relieving congestion of population and providing homes for citizens, see Amendments, ART. XLIII.

For the power given the general court to provide by law for absentee and compulsory voting, see Amendments, ARTS. XLV, LXI and LXXVI.

For the power given the general court to determine the manner of providing and distributing the necessaries of life, etc., during time of war, public distress, etc., by the Commonwealth and the cities and towns therein, see Amendments, ART. LXVII.

For provisions relative to taking the vote on emergency measures, see Amendments, ARTS. XLVIII, The Referendum, II, and LXVII.

For new provisions authorizing the general court to provide for the taking of lands for certain public uses, see Amendments, ART. XLIX.

For provision authorizing the general court to take a recess or recesses amounting to not more than thirty days, see Amendments, ART. LII.

For new provision authorizing the governor to return a bill with a recommendation of amendment, see Amendments, ART. LVI.

For the power of the general court to limit the use or construction of buildings, see Amendments, ART. LX.

For new provisions relative to the biennial election of senators and representatives and their terms of office, see Amendments, ART. LXIV.

For new provisions that no person elected to the general court shall be appointed to any office which was created or the emoluments of which were increased during the term for which he was elected, nor received additional salary or compensation for service upon recess committees or commissions, see Amendments, ART. LXV.

For the power given the general court to prescribe the terms and conditions upon which a pardon may be granted in the case of a felony, see Amendments, ART. LXXIII.]

CHAPTER I.

SECTION II.

Senate.

Article I. [There shall be annually elected, by the freeholders and other inhabitants of this Commonwealth, qualified as in this constitution is provided, forty persons to be councillors and senators for the year ensuing their election; to be chosen by the inhabitants of the districts into which the Commonwealth may from time to time be divided by the general court for that purpose: and the general court in assigning the numbers to be elected by the respective districts, shall govern themselves by the proportion of the public taxes paid by the said districts; and timely make known to the inhabitants of the Commonwealth the limits of each district, and the number of councillors and senators to be chosen therein; provided that the number of such districts shall never be less than thirteen; and that no district be so large as to entitle the same to choose more than six senators. [See Amendments, Arts. XIII, XVI, XXII, LXIV, LXXI, XCII, CI and CIX.]

And the several counties in this Commonwealth shall, until the general court shall determine it necessary to alter the said districts, be districts for the choice of councillors and senators, (except that the counties of Dukes County and Nantucket shall form one district for that purpose) and shall elect the following number for councillors and senators, viz.: – Suffolk, six; Essex, six; Middlesex, five; Hampshire, four; Plymouth, three; Barnstable, one; Bristol, three; York, two; Dukes

County and Nantucket, one; Worcester, five; Cumberland, one; Lincoln, one; Berkshire, two.]

Art. II. The senate shall be the first branch of the legislature; and the senators shall be chosen in the following manner, viz.: there shall be a meeting on the [first Monday in April,] [annually], forever, of the inhabitants of each town in the several counties of this Commonwealth; to be called by the selectmen, and warned in due course of law, at least seven days before the [first Monday in April,] for the purpose of electing persons to be senators and councillors; [and at such meetings every male inhabitant of twenty-one years of age and upwards, having a freehold estate within the Commonwealth, of the annual income of three pounds, or any estate of the value of sixty pounds, shall have a right to give in his vote for the senators for the district of which he is an inhabitant.] And to remove all doubts concerning the meaning of the word "inhabitant" in this constitution, every person shall be considered as an inhabitant, for the purpose of electing and being elected into any office, or place within this state, in that town, district or plantation, where he dwelleth, or hath his home. [See Amendments, Arts. II, III, X, XV, XX, XXII, XXIII, XXVI, XXVIII, XXX, XXXI, XXXII, XLV, LXIV, LXXI, LXXVI, LXXX, XCII, XCIII, XCIV, XVC, C, CI and CIX.]

The selectmen of the several towns shall preside at such meetings impartially; and shall receive the votes of all the inhabitants of such towns present and qualified to vote for senators, and shall sort and count them in open town meeting, and in presence of the town clerk, who shall make a fair record, in presence of the selectmen, and in open town meeting, of the name of every person voted for, and of the number of votes against his name: and a fair copy of this record shall be attested by the selectmen and the town clerk, and shall be sealed up, directed to the secretary of the Commonwealth for the time being, with a superscription, expressing the purport of the contents thereof, and delivered by the town clerk of such towns, to the sheriff of the county in which such town lies, thirty days at least before [the last Wednesday in May] [annually]; or it shall be delivered into the secretary's office seventeen days at least before the said [last Wednesday in May]; and the sheriff of each county shall deliver all such certificates by him received, into the secretary's office, seventeen days before the said [last Wednesday in May]. [See Amendments, Arts. II and X.]

And the inhabitants of plantations unincorporated, qualified as this constitution provides, who are or shall be empowered and required to assess taxes upon themselves toward the support of government, shall have the same privilege of voting for councillors and senators in the plantations where they reside, as town inhabitants have in their respective towns; [and the plantation meetings for that purpose shall be held annually on the same first Monday in April], at such place in the plantations respectively, as the assessors thereof shall direct; which assessors shall have like authority for notifying the electors, collecting and returning the votes, as the selectmen and town clerks have in their several towns, by this constitution. And all other persons living in places unincorporated (qualified as aforesaid) who shall be assessed to the support of government by the assessors of an adjacent town, shall have the privilege of giving in their votes for councillors and senators in the town where they shall be assessed, and be notified of the place of meeting by the selectmen of the town where they shall be assessed, for that purpose accordingly. [See Amendments, Arts. XV and LXIV.]

Art. III. And that there may be a due convention of senators on the [last Wednesday in May] [annually,] the governor with five of the council, for the time being, shall, as soon as may be, examine the return copies of such records; and fourteen days before the said day he shall issue his summons to such persons as shall appear to be chosen by [a majority of] voters, to attend on that day, and take their seats accordingly: provided nevertheless, that for the first year the said return copies shall be examined by the president and five of the council of the former constitution of government; and the said president shall, in like manner, issue his summons to the persons so elected, that they may take their seats as aforesaid. [See Amendments, Arts. X, XIV, LXIV, LXXII and LXXV.]

Art. IV. The senate shall be the final judge of the elections, returns and qualifications of their own members, as pointed out in the constitution; and shall, [on the said last Wednesday in May] [annually,] determine and declare who are elected by each district to be senators [by a majority of votes: and in case there shall not appear to be the full number of senators returned elected by a majority of votes for any district, the deficiency shall be supplied in the following manner, viz.: The members of the house of representatives, and such senators as shall be declared elected, shall take the names of such persons as shall be found to have the highest number of votes in such district, and not elected, amounting to twice the number of senators wanting, if there be so many voted for; and out of these shall elect by ballot a number of senators sufficient to fill up the vacancies in such district; and in this manner all such vacancies shall be filled up in every district of the Commonwealth; and in like manner all vacancies in the senate, arising by death, removal out of the state, or otherwise, shall be supplied as soon as may be, after such vacancies shall happen.] [See Amendments, Arts. X, XIV and XXIV.]

Art. V. Provided nevertheless, that no person shall be capable of being elected as a senator, [who is not seized in his own right of a freehold within this Commonwealth, of the value of three hundred pounds at least, or possessed of personal estate to the value of six hundred pounds at least, or of both to the amount of the same sum, and] who has not been an inhabitant of this Commonwealth for the space of five years immediately preceding his election, and at the time of his election, he shall be an inhabitant in the district for which he shall be chosen. [See Amendments, Arts. XIII, XXII, LXXI, XCII, CI and CIX.]

Art. VI. The senate shall have power to adjourn themselves, provided such adjournments do not exceed two days at a time. [See Amendments, Arts. LII and CII.]

Art. VII. The senate shall choose its own president, appoint its own officers, and determine its own rules of proceedings.

Art. VIII. The senate shall be a court with full authority to hear and determine all impeachments made by the house of representatives, against any officer or officers of the Commonwealth, for misconduct and maladministration in their offices. But previous to the trial of every impeachment the members of the senate shall respectively be sworn, truly and impartially to try and determine the charge in question, according to evidence. Their judgment, however shall not extend further than to removal from office and disqualification to hold or enjoy any place of honor, trust, or profit, under this Commonwealth: but the party so convicted, shall be, nevertheless, liable to indictment, trial, judgment, and punishment, according to the laws of the land.

Art. IX. [Not less than sixteen members of the senate shall constitute a quorum for doing business.] [See Amendments, Arts. XXII and XXXIII.]

CHAPTER I.

SECTION III.

House of Representatives.

Article I. There shall be, in the legislature of this Commonwealth, a representation of the people, [annually] elected, and founded upon the principle of equality. [See Amendments, Art. LXIV.]

Art. II. [And in order to provide for a representation of the citizens of this Commonwealth, founded upon the principle of equality, every corporate town containing one hundred and fifty ratable polls, may elect one representative; every corporate town, containing three hundred and seventy-five ratable polls, may elect two representatives; every corporate town containing six hundred ratable polls may elect three representatives; and proceeding in that manner, making two hundred and twenty-five ratable polls, the mean increasing number for every additional representative. [See Amendments, Arts. XII, XIII, XXI, LXXI, XCII, CI and CIX.]

Provided nevertheless, that each town now incorporated, not having one hundred and fifty ratable polls, may elect one representative: but no place shall hereafter be incorporated with the privilege of electing a representative, unless there are within the same one hundred and fifty ratable polls.]

And the house of representatives shall have power from time to time to impose fines upon such towns as shall neglect to choose and return members to the same, agreeably to this constitution.

[The expenses of travelling to the general assembly, and returning home, once in every session, and no more, shall be paid by the government, out of the public treasury, to every member who shall attend as seasonably as he can, in the judgment of the house, and does not depart without leave.] [See Amendments, Art. XXXV.]

Art. III. Every member of the house of representatives shall be chosen by written vote; [and for one year at least next preceding his election, shall have been an inhabitant of, and have been seized in his own right of a freehold of the value of one hundred pounds within the town he shall be chosen to represent, or any ratable estate to the value of two hundred pounds; and he shall cease to represent the said town immediately on his ceasing to be qualified as aforesaid.] [See Amendments, Arts. XIII, XXI, LXXI, XCII, CI and CIX.]

Art. IV. [Every male person, being twenty-one years of age, and resident in any particular town in this Commonwealth for the space of one year next preceding, having a freehold estate within the same town of the annual income of three pounds, or any estate of the value of sixty pounds, shall have a right to vote in the choice of a representative, or representatives for the said town.] [See Amendments, Arts. III, XX, XXIII, XXVI, XXVIII, XXX, XXXI, XXXII, XLV, LXXVI, XCIII, XCIV, XCV and C.]

Art. V. [The members of the house of representatives shall be chosen annually in the month of May, ten days at least before the last Wednesday of that month.] [See Amendments, Arts. X, XV and LXIV.]

Art. VI. The house of representatives shall be the grand inquest of this Commonwealth; and all impeachments made by them shall be heard and tried by the senate.

Art. VII. All money bills shall originate in the house of representatives; but the senate may propose or concur with amendments, as on other bills.

Art. VIII. The house of representatives shall have power to adjourn themselves; provided such adjournment shall not exceed two days at a time. [See Amendments, Arts. LII and CII.]

Art IX. [Not less than sixty members of the house of representatives, shall constitute a quorum for doing business.] [See Amendments, Arts. XXI and XXXIII.]

Art. X. The house of representatives shall be the judge of the returns, elections, and qualifications of its own members, as pointed out in the constitution; shall choose their own speaker; appoint their own officers, and settle the rules and orders of proceeding in their own house. They shall have authority to punish by imprisonment, every person, not a member, who shall be guilty of disrespect to the house, by any disorderly, or contemptuous behavior in its presence; or who, in the town where the general court is sitting, and during the time of its sitting, shall threaten harm to the body or estate of any of its members, for any thing said or done in the house; or who shall assault any of them therefor; or who shall assault, or arrest, any witness, or other person, ordered to attend the house, in his way in going or returning; or who shall rescue any person arrested by the order of the house.

And no member of the house of representatives shall be arrested, or held to bail on mesne process, during his going unto, returning from, or his attending the general assembly.

Art. XI. The senate shall have the same powers in the like cases; and the governor and council shall have the same authority to punish in like cases. Provided that no imprisonment on the warrant or order of the governor, council, senate, or house of representatives, for either of the above described offenses, be for a term exceeding thirty days.

And the senate and house of representatives may try and determine all cases where their rights and privileges are concerned, and which, by the constitution, they have authority to try and determine, by committees of their own members, or in such other way as they may respectively think best.

CHAPTER II.

EXECUTIVE POWER.

SECTION I.

Governor.

Article I. There shall be a supreme executive magistrate, who shall be styled – THE GOVERNOR OF THE COMMONWEALTH OF MASSACHUSETTS; and whose title shall be – HIS EXCELLENCY.

Art. II. The governor shall be chosen [annually]: and no person shall be eligible to this office, unless at the time of his election, he shall have been an inhabitant of this Commonwealth for seven years next preceding; [and unless he shall at the same time, be seized, in his own right, of a freehold within the Commonwealth of the value of one thousand pounds; and unless he shall declare himself to be of the Christian religion.] [See Amendments, Arts. VII, XXXIV, LXIV and LXXX.]

Art. III. Those persons who shall be qualified to vote for senators and representatives within the several towns of this Commonwealth shall, at a meeting to be called for that purpose, on the [first Monday of April annually], give in their votes for a governor, to the selectmen, who shall preside at such meetings; and the town clerk, in the presence and with the assistance of the selectmen, shall, in open town meeting, sort and count the votes, and form a list of the persons voted for, with the number of votes for each person against his name; and shall make a fair record of the same in the town books, and a public declaration thereof in the said meeting; and shall, in the presence of the inhabitants, seal up copies of the said list, attested by him and the selectmen, and transmit the same to the sheriff of the county, thirty days at least before the [last Wednesday in May]; and the sheriff shall transmit the same to the secretary's office, seventeen days at least before the said [last Wednesday in May]; or the selectmen may cause returns of the same to be made to the office of the secretary of the Commonwealth, seventeen days at least before the said day; and the secretary shall lay the same before the senate and the house of representatives, on the [last Wednesday in May], to be by them examined: and in case of an election by a [majority] of all the votes returned, the choice shall be by them declared and published. But if no person shall have a [majority] of votes, the house of representatives shall, by ballot, elect two out of four persons who had the highest number of votes, if so many shall have been voted for; but, if otherwise, out of the number voted for; and make return to the senate of the two persons so elected; on which the senate shall proceed, by ballot, to elect one, who shall be declared governor. [See Amendments, Arts. II, X, XIV, XV, XLV, LXIV, LXXVI and LXXX.]

Art IV. The governor shall have authority from time to time, at his discretion, to assemble and call together the councillors of this Commonwealth for the time being; and the governor with the said councillors, or five of them at least, shall, and may, from time to time, hold and keep a council, for the ordering and directing the affairs of the Commonwealth, agreeably to the constitution and the laws of the land.

Art. V. The governor, with advice of council, shall have full power and authority, during the session of the general court to adjourn or prorogue the same to any time the two houses shall desire; [and to dissolve the same on the day next preceding the last Wednesday in May;] and, in the recess of the said court, to prorogue the same from time to time, not exceeding ninety days in any one recess; and to call it together sooner than the time to which it may be adjourned or prorogued, if the welfare of the Commonwealth shall require the same: and in case of any infectious distemper prevailing in the place where the said court is next at any time to convene, or any other cause happening whereby danger may arise to the health or lives of the members from their attendance, he may direct the session to be held at some other the most convenient place within the state.

[And the governor shall dissolve the said general court on the day next preceding the last Wednesday in May.] [See Amendments, Arts. X, LXXII and LXXV.]

Art. VI. In cases of disagreement between the two houses, with regard to the necessity, expediency or time of adjournment, or prorogation, the governor, with advice of the council, shall have a right to adjourn or prorogue the general court, not exceeding ninety days, as he shall determine the public good shall require.

Art. VII. [The governor of this Commonwealth for the time being, shall be the commander-in-chief of the army and navy, and of all the military forces of the state, by sea and land; and shall have full power by himself, or by any commander, or other officer or officers, from time to time, to train, instruct, exercise and govern the militia and navy; and for the special defense and safety of the Commonwealth, to assemble in martial array, and put in warlike posture, the inhabitants thereof, and to lead and conduct them, and with them, to encounter, repel, resist, expel and pursue, by force of arms, as well as by sea as by land, within or without the limits of this Commonwealth, and also to kill, slay, and destroy, if necessary, and conquer, by all fitting ways, enterprises, and means whatsoever, all and every such person and persons as shall, at any time hereafter, in a hostile manner, attempt or enterprise the destruction, invasion, detriment, or annoyance of this Commonwealth; and to use and exercise, over the army and navy, and over the militia in actual service, the law martial, in time of war or invasion, and also in time of rebellion, declared by the legislature to exist, as occasion shall necessarily require; and to take and surprise by all ways and means whatsoever, all and every such person or persons, with their ships, arms, ammunition and other goods, as shall, in a hostile manner, invade, or attempt the invading, conquering, or annoying this Commonwealth; and the governor be intrusted with all these and other powers, incident to the offices of captain-general and commander-in-chief, and admiral, to be exercised agreeably to the rules and regulations of the constitution, and the laws of the land, and not otherwise.

Provided, that the said governor shall not, at any time hereafter, by virtue of any power by this constitution granted, or hereafter to be granted to him by the legislature, transport any of the inhabitants of this Commonwealth, or oblige them to march out of the limits of the same, without their free and voluntary consent, or the consent of the general court; except so far as may be necessary to march or transport them by land or water, for the defense of such part of the state to which they cannot otherwise conveniently have access.] [Annulled and superseded by Amendments, Art. LIV.]

Art. VIII. [The power of pardoning offenses, except such as persons may be convicted of before the senate by an impeachment of the house, shall be in the governor, by and with the advice of council: but no charter of pardon, granted by the governor, with advice of the council before conviction, shall avail the party pleading the same, notwithstanding any general or particular expressions contained therein, descriptive of the offence or offenses intended to be pardoned.] [Annulled and superseded by Amendments, Art. LXXIII.]

Art. IX. All judicial officers, [the attorney-general,] the solicitor-general, [all sheriffs,] coroners, [and registers of probate,] shall be nominated and appointed by the governor, by and with the advice and consent of the council; and every such nomination shall be made by the governor, and made at least seven days prior to such appointment. [See Amendments, Arts. XVII, XLVIII, The Initiative, II, sect. 2, The Referendum, III. sect. 2, and LXIV.] [For provision as to election of sheriffs, registers of probate, etc., see Amendments, Art. XIX.] [For provision as to appointment of notaries public, see Amendments, Arts. IV, LVII and LXIX, sect. 2.]

Art. X. [The captains and subalterns of the militia shall be elected by the written votes of the train-band and alarm list of their respective companies, of twenty-one years of age and upwards: the field officers of regiments shall be elected by the written votes of the captains and subalterns of their respective regiments: the brigadiers shall be elected in like manner, by the field officers of their respective brigades: and such officers, so elected, shall be commissioned by the governor, who shall determine their rank. [See Amendments, Art. V.]

The legislature shall, by standing laws, direct the time and manner of convening the electors, and of collecting votes, and of certifying to the governor, the officers elected.

The major-generals shall be appointed by the senate and house of representatives, each having a negative upon the other; and be commissioned by the governor. [See Amendments, Art. IV.]

And if the electors of brigadiers, field officers, captains or subalterns, shall neglect or refuse to make such elections, after being duly notified, according to the laws for the time being, then the governor, with advice of council shall appoint suitable persons to fill such offices.

And no officer, duly commissioned to command in the militia, shall be removed from his office, but by the address of both houses to the governor, or by fair trial in court-martial pursuant to the laws of the Commonwealth for the time being. [See Amendments, Art. IV.]

The commanding officers of regiments shall appoint their adjutants and quartermasters; the brigadiers their brigade-majors; and the major-generals their aids; and the governor shall appoint the adjutant-general.

The governor, with advice of council, shall appoint all officers of the continental army, whom by the confederation of the United States it is provided that this Commonwealth shall appoint, as also all officers of forts and garrisons.

The divisions of the militia into brigades, regiments and companies, made in pursuance of the militia laws now in force, shall be considered as the proper divisions of the militia of this Commonwealth, until the same shall be altered in pursuance of some future law.] [Annulled and superseded by Amendments, Art. LIII.]

Art. XI. No moneys shall be issued out of the treasury of this Commonwealth, and disposed of (except such sums as may be appropriated for the redemption of bills of credit or treasurer's notes, or for the payment of interest arising thereon) but by warrant under the hand of the governor for the time being, with the advice and consent of the council, for the necessary defense and support of the Commonwealth; and for the protection and preservation of the inhabitants thereof, agreeably to the acts and resolves of the general court. [See Amendments, Art. XLVIII, The Initiative, II, sect. 2, and The Referendum, III, sect. 2.]

Art. XII. All public boards, [the commissary-general,] all superintending officers of public magazines and stores, belonging to this Commonwealth, and all commanding officers of forts and garrisons within the same, shall once in every three months, officially, and without requisition, and at other times, when required by the governor, deliver to him an account of all goods, stores, provisions, ammunition, cannon with their appendages, and small arms with their accoutrements, and all other public property whatever under their care respectively; distinguishing the quantity, number, quality and kind of each, as particularly as may be; together with the condition of such forts and garrisons; and the said commanding officer shall exhibit to the governor, when required by him, true and exact plans of such forts, and of the land and sea or harbor or harbors adjacent.

And the said boards, and all public officers, shall communicate to the governor, as soon as may be after receiving the same, all letters, dispatches, and intelligences of a public nature, which shall be directed to them respectively. [See Amendments, Art. LIII.]

Art. XIII. As the public good requires that the governor should not be under the undue influence of any of the members of the general court by a dependence on them for his support, that he should in all cases, act with freedom for the benefit of the public, that he should not have his attention necessarily diverted from that object to his private concerns, and that he should maintain the dignity of the Commonwealth in the character of its chief magistrate, it is necessary that he should have an honorable stated salary, of a fixed and permanent value, amply sufficient for those purposes, and established by standing laws: and it shall be among the first acts of the general court, after the commencement of this constitution, to establish such salary by law accordingly.

Permanent and honorable salaries shall also be established by law for the justices of the supreme judicial court.

And if it shall be found that any of the salaries aforesaid, so established, are insufficient, they shall, from time to time be enlarged as the general court shall judge proper. [See Amendments, Art. XLVIII, The Initiative, sect. 2, The Referendum, III, sect. 2.]

CHAPTER II.

SECTION II.

Lieutenant-Governor.

Article I. There shall be [annually] elected a lieutenant-governor of the Commonwealth of Massachusetts, whose title shall be – HIS HONOR; and who shall be qualified, in point of [religion, property,] and residence in the Commonwealth, in the same manner with the governor, and the day and manner of his election, and the qualifications of the electors, shall be the same as are required in the election of a governor. The return of the votes for this officer, and the declaration of his election, shall be in the same manner: and if no one person shall be found to have [a majority] of all the votes returned, the vacancy shall be filled by the senate and house of representatives, in the same manner as the governor is to be elected, in case no one person shall have [a majority] of the votes of the people to be governor. [See Amendments, Arts. VII, XIV, XXXIV, LXIV and LXXX.]

Art. II. The governor, and in his absence the lieutenant-governor, shall be president of the council, but shall have no vote in council: and the lieutenant-governor shall always be a member of the council except when the chair of the governor shall be vacant.

Art. III. Whenever the chair of the governor shall be vacant, by reason of his death, or absence from the Commonwealth, or otherwise, the lieutenant-governor, for the time being, shall, during such vacancy, perform all the duties incumbent upon the governor, and shall have and exercise all the powers and authorities, which by this constitution the governor is vested with, when personally present. [See Amendments, Art. LV.]

CHAPTER II.

SECTION III.

Council, and the Manner of Settling Elections by the Legislature.

Article I. There shall be a council for advising the governor in the executive part of government, to consist of [nine] persons besides the lieutenant-governor, whom the governor, for the time being, shall have full power and authority, from time to time, at his discretion, to assemble and call together. And the governor, with the said councillors, or five of them at least, shall and may, from time to time, hold and keep a council, for the ordering and directing the affairs of the Commonwealth, according to the laws of the land. [See Amendments, Art. XVI.]

Art. II. [Nine councillors shall be annually chosen from among the persons returned for councillors and senators, on the last Wednesday in May, by the joint ballot of the senators and representatives assembled in one room: and in case there shall not be found upon the first choice, the whole number of nine persons who will accept a seat in the council, the deficiency shall be made up by the electors aforesaid from among the people at large; and the number of senators left shall constitute the senate for the year. The seats of the persons thus elected from the senate, and accepting the trust, shall be vacated in the senate.] [See Amendments, Arts. X, XIII, XXV and LXIV.] [Superseded by Amendments, Art. XVI.]

Art. III. The councillors, in the civil arrangements of the Commonwealth, shall have rank next after the lieutenant-governor.

Art. IV. [Not more than two councillors shall be chosen out of any one district of this Commonwealth.] [Superseded by Amendments, Art. XVI.]

Art. V. The resolutions and advice of the council shall be recorded in a register, and signed by the members present; and this record may be called for at any time by either house of the legislature; and any member of the council may insert his opinion, contrary to the resolution of the majority.

Art. VI. [Whenever the office of the governor and lieutenant-governor shall be vacant, by reason of death, absence, or otherwise, then the council, or the major part of them, shall, during such vacancy have full power and authority to do, and execute, all and every such acts, matters and things, as the governor or the lieutenant-governor might or could, by virtue of this constitution, do or execute, if they, or either of them, were personally present.] [Annulled and superseded by Amendments, Art. LV.]

Art. VII. [And whereas the elections appointed to be made by this constitution, on the last Wednesday in May annually, by the two houses of the legislature, may not be completed on that day, the said elections may be adjourned from day to day until the same shall be completed. And the order of elections shall be as follows: the vacancies in the senate, if any, shall first be filled up; the governor and lieutenant-governor shall then be elected, provided there should be no choice of them by the people: and afterwards the two houses shall proceed to the election of the council.] [See Amendments, Art. LXIV.] [Superseded by Amendments, Arts. XVI and XXV.]

CHAPTER II.

SECTION IV.

Secretary, Treasurer, Commissary, etc.

Article I. [The secretary, treasurer and receiver general, and the commissary-general, notaries public, and naval officers, shall be chosen annually, by joint ballot of the senators and representatives in one room. And that the citizens of this Commonwealth may be assured, from time to time, that the moneys remaining in the public treasury, upon the settlement and liquidation of the public accounts, are their property, no man shall be eligible as treasurer and receiver general more than five years successively.] [See Amendments, Arts. XVII, LXIV, LXXIX, LXXX and LXXXII.] [For provision as to appointment of notaries public and the commissary-general, see Amendments, Arts. IV, LIII and LVII; see also Amendments, Art. LXIX.]

Art. II. The records of the Commonwealth shall be kept in the office of the secretary, who may appoint his deputies, for whose conduct he shall be accountable, and he shall attend the governor and council, the senate and house of representatives, in person, or by his deputies, as they shall respectively require.

CHAPTER III.

JUDICIARY POWER.

Article I. The tenure, that all commissioned officers shall by law have in their offices, shall be expressed in their respective commissions. All judicial officers, duly appointed, commissioned and sworn, shall hold their offices during good behavior, excepting such concerning whom there is different provision made in this constitution: Provided nevertheless, the governor, with consent of the council, may remove them upon the address of both houses of the legislature. [For tenure, etc. of judges, see Amendments, Art. XLVIII, The Initiative, II, sect. 2, and The Referendum, III, sect. 2.] [For retirement of judicial officers, see Amendments, Art. LVIII.] [For removal of justices of the peace and notaries public, see Amendments, Art. XXXVII.] [Annulled by Amendments, Art. XCVIII.]

Art. II. [Each branch of the legislature, as well as the governor and council, shall have authority to require the opinions of the justices of the supreme judicial court, upon important questions of law, and upon solemn occasions.] [Amended and superseded by Art. LXXXV.]

Art. III. In order that the people may not suffer from the long continuance in place of any justice of the peace, who shall fail of discharging the important duties of his office with ability or fidelity, all commissions of justices of the peace shall expire and become void, in the term of seven years from their respective dates; and upon the expiration of any commission, the same may, if necessary, be renewed, or another person appointed, as shall most conduce to the well-being of the Commonwealth. [See Amendments, Art. XXXVII.]

Art. IV. The judges of probate of wills, and for granting letters of administration, shall hold their courts at such place or places, on fixed days, as the convenience of the people shall require. And the legislature shall from time to time, hereafter appoint such times and places; until which appointments, the said courts shall be holden at the times and places which the respective judges shall direct.

Art. V. All causes of marriage, divorce, and alimony, and all appeals from the judges of probate shall be heard and determined by the governor and council, until the legislature shall, by law, make other provision.

CHAPTER IV.

DELEGATES TO CONGRESS.

[The delegates of this Commonwealth to the congress of the United States, shall, some time in the month of June annually, be elected by the joint ballot of the senate and house of representatives, assembled together in one room; to serve in congress for one year, to commence on the first Monday in November then next ensuing. They shall have commissions under the hand of the governor, and the great seal of the Commonwealth; but may be recalled at any time within the year, and others chosen and commissioned, in the same manner, in their stead.] [Annulled by the adoption of the Constitution of the United States, July 26, 1788.]

CHAPTER V.

THE UNIVERSITY AT CAMBRIDGE, AND ENCOURAGEMENT OF LITERATURE, ETC.

SECTION I.

The University.

Article I. Whereas our wise and pious ancestors, so early as the year one thousand six hundred and thirty-six, laid the foundation of Harvard College, in which university many persons of great eminence have, by the blessing of GOD, been initiated in those arts and sciences, which qualified them for public employments, both in church and state: and whereas the encouragement of arts and sciences, and all good literature, tends to the honor of GOD, the advantage of the Christian religion, and the great benefit of this and the other United States of America – it is declared, that the PRESIDENT AND FELLOWS OF HARVARD COLLEGE, in their corporate capacity, and their successors in that capacity, their officers and servants, shall have, hold, use, exercise and enjoy, all the powers, authorities, rights, liberties, privileges, immunities and franchises, which they now have, or are entitled to have, hold, use, exercise and enjoy: and the same are hereby ratified and confirmed unto them, the said president and fellows of Harvard College, and to their successors, and to their officers and servants, respectively, forever.

Art. II. And whereas there have been at sundry times, by divers persons, gifts, grants, devises of houses, lands, tenements, goods, chattles, legacies and conveyances, heretofore made, either to Harvard College in Cambridge, in New England, or to the president and fellows of Harvard College, or to the said college, by some other description, under several charters successively: it is declared: that all the said gifts, grants, devises, legacies and conveyances, are hereby forever confirmed unto the president and fellows of Harvard College, and to their successors in the capacity aforesaid, according to the true intent and meaning of the donor or donors, grantor or grantors, devisor or devisors.

Art. III. [And whereas, by an act of the general court of the colony of Massachusetts Bay, passed in the year one thousand six hundred and forty-two, the governor and deputy-governor, for the time being, and all the magistrates of that jurisdiction, were, with the president, and a number of the clergy in the said act described, constituted the overseers of Harvard College: and it being necessary, in this new constitution of government to ascertain who shall be deemed successors to the said governor, deputy-governor and magistrates: it is declared, that the governor, lieutenant-governor, council and senate of this Commonwealth, are, and shall be deemed, their successors, who with the president of Harvard College, for the time being, together with the ministers of the congregational churches in the towns of Cambridge, Watertown, Charlestown, Boston, Roxbury, and Dorchester, mentioned in the said act, shall be, and hereby are, vested with all the powers and authority belonging, or in any way appertaining to the overseers of Harvard College; provided, that] nothing herein shall be construed to prevent the legislature of this Commonwealth from making such alterations in the government of the said university, as shall be conducive to its advantage, and the interest of the republic of letters, in as full a manner as might have been done by the legislature of the late Province of the Massachusetts Bay.

CHAPTER V.

SECTION II.

The Encouragement of Literature, etc.

Wisdom and knowledge, as well as virtue, diffused generally among the body of the people, being necessary for the preservation of their rights and liberties; and as these depend on spreading the opportunities and advantages of education in the various parts of the country, and among the different orders of the people, it shall be the duty of legislatures and magistrates, in all future periods of this Commonwealth, to cherish the interests of literature and the sciences, and all seminaries of them; especially the university at Cambridge, public schools and grammar schools in the towns; to encourage private societies and public institutions, rewards and immunities, for the promotion of agriculture, arts, sciences, commerce, trades, manufacture, and a natural history of the country; to countenance and inculcate the principles of humanity and general benevolence, public and private charity, industry and frugality, honesty and punctuality in their dealings; sincerity, good humor, and all social affections, and generous sentiments among the people. [See Amendments, Arts. XVIII, XLVI, XCVI and CIII.]

CHAPTER VI.

OATHS AND SUBSCRIPTIONS; INCOMPATIBILITY OF AN EXCLUSION FROM OFFICES; PECUNIARY QUALIFICATIONS; COMMISSIONS; WRITS; CONFIRMATION OF LAWS; HABEAS CORPUS; THE ENACTING STYLE; CONTINUANCE OF OFFICERS; PROVISION FOR A FUTURE REVISAL OF THE CONSTITUTION, ETC.

Article I. [Any person chosen governor, lieutenant-governor, councillor, senator, or representative, and accepting the trust, shall before he proceed to execute the duties of his place or office, make and subscribe the following declaration, viz.:

"I, A. B., do declare, that I believe the Christian religion, and have a firm persuasion of its truth; and that I am seized and possessed, in my own right, of the property required by the constitution, as one qualification for the office or place to which I am elected."

And the governor, lieutenant-governor, and councillors, shall make and subscribe the said declaration, in the presence of the two houses of assembly; and the senators and representatives, first elected under this constitution, before the president and five of the council of the former constitution, and forever afterwards before the governor and council for the time being.]

And every person chosen to either of the places or offices aforesaid, as also any person appointed or commissioned to any judicial, executive, military, or other office under the government, shall, before he enters on the discharge of the business of his place or office, take and subscribe the following declaration and oaths or affirmations, viz.:

["I, A. B., do truly and sincerely acknowledge, profess, testify, and declare, that the Commonwealth of Massachusetts is, and of right ought to be, a free, sovereign and independent state; and I do swear, that I will bear true faith and allegiance to the said Commonwealth, and that I will defend that same against traitorous conspiracies and all hostile attempts whatsoever: and that I do renounce and abjure all allegiance, subjection, and obedience to the king, queen, or government of Great Britain (as the case may be) and every other foreign power whatsoever: and that no foreign prince, person, prelate, state or potentate, hath, or ought to have, any jurisdiction, superiority, pre-eminence, authority, dispensing or other power, in any matter, civil, ecclesiastical or spiritual, within this Commonwealth, except the authority and power which is or may be vested by their constituents in the congress of the United States: and I do further testify and declare, that no man or body of men hath or can have any right to absolve or discharge me from the obligation of this oath, declaration, or affirmation and that I do make this acknowledgment, profession, testimony, declaration, denial, renunciation and abjuration, heartily and truly, according to the common meaning and acceptation of the foregoing words, without any equivocation, mental evasion, or secret reservation whatsoever. So help me GOD."]

"I, A. B., do solemnly swear and affirm, that I will faithfully and impartially discharge and perform all the duties incumbent on me as ; according to the best of my abilities and understanding, agreeably, to the rules and regulations of the constitution and the laws of this Commonwealth. So help me GOD."

Provided always, that when any person chosen or appointed as aforesaid, shall be of the denomination of the people called Quakers, and shall decline taking the said oath[s], he shall make his affirmation in the foregoing form and subscribe the same, omitting the words ["*I do swear*," "*and abjure*," "*oath or*," "*and abjuration*," in the first oath; and in the second oath, the words] "*swear and*," and [in each of them] the words "*So help me* GOD;" subjoining instead thereof, "*This I do under the pains and penalties of perjury*." [See Amendments, Art. VI.]

And the said oaths or affirmations shall be taken and subscribed by the governor, lieutenant-governor, and councillors, before the president of the senate, in the presence of the two houses of assembly; and by the senators and representatives first elected under this constitution, before the president and five of the council of the former constitution; and forever afterwards before the governor and council for the time being: and by the residue of the officers aforesaid, before such persons and in such manner as from time to time shall be prescribed by the legislature. [See Amendments, Arts. VI and VII.]

Art. II. No governor, lieutenant-governor, or judge of the supreme judicial court, shall hold any other office or place, under the authority of this Commonwealth, except such as by this constitution they are admitted to hold, saving that the judges of the said court may hold the offices of justices of the peace through the state; nor shall they hold any other place or office, or receive any pension or salary from any other state or government or power whatever. [See Amendments. Art. VIII.]

No person shall be capable of holding or exercising at the same time, within this state more than one of the following offices, viz.: judge of probate – sheriff – register of probate – or register of deeds: and never more than any two offices which are to be held by appointment of the governor, or the governor and council, or the senate, or the house of representatives, or by the election of the people of the state at large, or of the people of any county, military offices and the offices of justices of the peace excepted, shall be held by one person.

No person holding the office of judge of the supreme judicial court – secretary – attorney-general – solicitor-general – treasurer or receiver general – judge of probate – commissary-general – [president, professor, or instructor of Harvard College –] sheriff – clerk of the house of representatives – register of probate – register of deeds – clerk of the supreme judicial court – clerk of the inferior court of common pleas – or officer of the customs, including in this description naval officers – shall at the same time have a seat in the senate or house of representatives; but their being chosen or appointed to, and accepting the same, shall operate as a resignation of their seat in the senate or house of representatives; and the place so vacated shall be filled up. [See Amendments, Arts. VIII and XXVII.]

And the same rule shall take place in case any judge of the said supreme judicial court, or judge of probate, shall accept a seat on council; or any councillor shall accept of either of those offices or places.

And no person shall ever be admitted to hold a seat in the legislature, or any office of trust or importance under the government of this Commonwealth, who shall, in the due course of law, have been convicted of bribery or corruption in obtaining an election or appointment. [See Amendments, Art. LXV.]

Art. III. [In all cases where sums of money are mentioned in this constitution, the value thereof shall be computed in silver at six shillings and eight pence per ounce: and it shall be in the power of the legislature from time to time to increase such qualifications, as to property, of the persons to be elected to offices, as the circumstances of the Commonwealth shall require.] [See Amendments, Art. XIII and XXXIV.]

Art. IV. All commissions shall be in the name of the Commonwealth of Massachusetts, signed by the governor and attested by the secretary or his deputy, and have the great seal of the Commonwealth affixed thereto.

Art. V. All writs, issuing out of the clerk's office in any of the courts of law, shall be in the name of the Commonwealth of Massachusetts: they shall be under the seal of the court from whence they issue: they shall bear test of the first justice of the court to which they shall be returnable, who is not a party, and be signed by the clerk of such court.

Art. VI. All the laws which have heretofore been adopted, used and approved in the Province, Colony or State of Massachusetts Bay, and usually practiced on in the courts of law, shall still remain and be in full force, until altered or repealed by the legislature; such parts only excepted as are repugnant to the rights and liberties contained in this constitution.

Art VII. The privilege and benefit of the writ of *habeas corpus* shall be enjoyed in this Commonwealth in the most free, easy, cheap, expeditious and ample manner; and shall not be suspended by the legislature, except upon the most urgent and pressing occasions, and for a limited time not exceeding twelve months.

Art. VIII. The enacting style, in making and passing all acts, statutes and laws, shall be – "Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same."

Art. IX. [To the end there may be no failure of justice, or danger arise to the Commonwealth from a change of the form of government, all officers, civil and military, holding commissions under the government and people of Massachusetts Bay in New England, and all other officers of the said government and people, at the time this constitution shall take effect, shall have, hold, use, exercise and enjoy, all the powers and authority to them granted or committed, until other persons shall be appointed in their stead: and all courts of law shall proceed in the execution of the business of their respective departments; and all the executive and legislative officers, bodies and powers shall continue in full force, in the enjoyment and exercise of all their trusts, employments and authority; until the general court and the supreme and executive officers under this constitution are designated and invested with their respective trusts, powers and authority.]

Art. X. [In order the more effectually to adhere to the principles of the constitution, and to correct those violations which by any means may be made therein, as well as to form such alterations as from experience shall be found necessary, the general court which shall be in the year of our Lord one thousand seven hundred and ninety-five, shall issue precepts to the selectmen of the several towns, and to the assessors of the unincorporated plantations, directing them to convene the qualified voters of their respective towns and plantations, for the purpose of collecting their sentiments on the necessity or expediency of revising the constitution, in order to amendments. [See Amendments, Art. IX.]

And if it shall appear by the returns made, that two-thirds of the qualified voters throughout the state, who shall assemble and vote in consequence of the said precepts, are in favor of such revision or amendment, the general court shall issue precepts, or direct them to be issued from the secretary's office to the several towns to elect delegates to meet in convention for the purpose aforesaid.

The said delegates to be chosen in the same manner and proportion as their representatives in the second branch of the legislature are by this constitution to be chosen.] [Annulled by Amendments, Art. XLVIII.]

Art. XI. This form of government shall be enrolled on parchment and deposited in the secretary's office, and be a part of the laws of the land – and printed copies thereof shall be prefixed to the book containing the laws of this Commonwealth, in all future editions of the said laws.

ARTICLES OF AMENDMENT

Article I. [If any bill or resolve shall be objected to, and not approved by the governor; and if the general court shall adjourn within five days after the same shall have been laid before the governor for his approbation, and thereby prevent his returning it with his objections, as provided by the constitution, such bill or resolve shall not become a law, nor have force as such.] [See Const. Ch. I, § 1, Art. II.] [Annulled and superseded by Amendments, Art. XC, sect. 2.]

Art. II. The general court shall have full power and authority to erect and constitute municipal or city governments, in any corporate town or towns in this Commonwealth, and to grant to the inhabitants thereof such powers, privileges, and immunities, not repugnant to the constitution, as the general court shall deem necessary or expedient for the regulation and government thereof, and to prescribe the manner of calling and holding public meetings of the inhabitants, in wards or otherwise, for the election of officers under the constitution, and the manner of returning the votes given at such meetings. Provided, that no such government shall be erected or constituted in any town not containing twelve thousand inhabitants, nor unless it be with the consent, and on the application of a majority of the inhabitants of such town, present and voting thereon, pursuant to a vote at a meeting duly warned and holden for that purpose. And provided, also, that all by-laws, made by such municipal or city government, shall be subject, at all times, to be annulled by the general court. [See Amendments, Art. LXX.] [Annulled by Amendments, Art. LXXXIX.]

Art. III. Every [male] citizen of [twenty-one] years of age and upwards, excepting [paupers and] persons under guardianship, who shall have resided [within the commonwealth one year, and] within the town or district in which he may claim a right to vote, six calendar months next preceding any election of governor, lieutenant-governor, senators or representatives, [and who shall have paid, by himself or his parent, master or guardian, any state or county tax, which shall, within two years next preceding such election, have been assessed upon him in any town or district of this commonwealth; and also, every citizen who shall be, by law, exempted from taxation, and who shall be, in all other respects, qualified as above mentioned,] shall have a right to vote in such election of governor, lieutenant-governor, senators and representatives; and no other person shall be entitled to vote in such elections. [See Amendments, Arts. XX, XXIII, XXVI, XXVIII, XXX, XXXI, XXXII, XL, LXVIII, LXIX, XCIII, XCIV, XCV, C and CXX.] [For absent voting, see Amendments, Arts. XLV and LXXVI.]

Art. IV. Notaries public shall be appointed by the governor in the same manner as judicial officers are appointed, and shall hold their offices during seven years, unless sooner removed by the governor, with the consent of the council, upon the address of both houses of the legislature. [See Amendments, Arts. XXXVII, LVII and LXIX, sect. 2.]

[In case the office of secretary or treasurer of the commonwealth shall become vacant from any cause, during the recess of the general court, the governor, with the advice and consent of the council, shall nominate and appoint, under such regulations as may be prescribed by law, a competent and suitable person to such vacant office, who shall hold the same until a successor shall be appointed by the general court.] [This paragraph superseded by Amendments, Art. XVII.]

[Whenever the exigencies of the commonwealth shall require the appointment of a commissary-general, he shall be nominated, appointed, and commissioned, in such manner as the legislature may, by law, prescribe.

All officers commissioned to command in the militia may be removed from office in such manner as the legislature may, by law, prescribe.] [Last two paragraphs annulled and superseded by Amendments, Art. LIII.]

Art. V. [In the elections of captains and subalterns of the militia, all the members of their respective companies, as well those under as those above the age of twenty-one years, shall have a right to vote.] [Annulled by Amendments, Art. LIII.]

Art. VI. Instead of the oath of the allegiance prescribed by the constitution, the following oath shall be taken and subscribed by every person chosen or appointed to any office, civil or military, under the government of this commonwealth, before he shall enter on the duties of his office, to wit: —

"I, A. B., do solemnly swear, that I will bear true faith and allegiance to the Commonwealth of Massachusetts, and will support the constitution thereof. So help me, GOD."

Provided, That when any person shall be of the denomination called Quakers, and shall decline taking said oath, he shall make his affirmation in the foregoing form, omitting the word "swear" and inserting instead thereof the word "affirm;" and omitting the words "So help me, GOD," and subjoining, instead thereof, the words, "This I do under the pains and penalties of perjury." [See Const., Ch. VI, Art. I.]

Art. VII. No oath, declaration, or subscription, excepting the oath prescribed in the preceding article, and the oath of office, shall be required of the governor, lieutenant-governor, councillors, senators, or representatives, to qualify them to perform the duties of their respective offices.

Art. VIII. No judge of any court of this commonwealth, (except the court of sessions,) and no person holding any office under the authority of the United States, (postmasters excepted,) shall, at the same time, hold the office of governor, lieutenant-governor, or councillor, or have a seat in the senate or house of representatives of this commonwealth; and no judge of any court in this commonwealth, (except the court of sessions,) nor the attorney-general, solicitor-general, county attorney, clerk of any court, sheriff, treasurer and receiver-general, register of probate, nor register of deeds, shall continue to hold his said office after being elected a member of the Congress of the United States, and accepting that trust; but the acceptance of such trust, by any of the officers aforesaid, shall be deemed and taken to be a resignation of his said office; and judges of the courts of common pleas shall hold no other office under the government of this commonwealth, the office of justice of the peace and militia offices excepted. [See Amendments, Art. LXV.]

Art. IX. [If, at any time hereafter, any specific and particular amendment or amendments to the constitution be proposed in the general court, and agreed to by a majority of the senators and two thirds of the members of the house of representatives present and voting thereon, such proposed amendment or amendments shall be entered on the journals of the two houses, with the yeas and nays taken thereon, and referred to the general court then next to be chosen, and shall be published; and if, in the general court next chosen as aforesaid, such proposed amendment or amendments shall be agreed to by a majority of the senators and two thirds of the members of the house of representatives present and voting thereon, then it shall be the duty of the general court to submit such proposed amendment or amendments to the people; and if they shall be approved and ratified by a majority of the qualified voters voting thereon, at meetings legally warned and holden for that purpose, they shall become part of the constitution of this commonwealth.] [Annulled by Amendments, Art. XLVIII, General Provisions, VIII.]

Art. X. The political year shall begin on the first Wednesday of January, instead of the last Wednesday of May; and the general court shall assemble every year on the said first Wednesday of January, and shall proceed, at that session, to make all the elections, and do all the other acts, which are by the constitution required to be made and done at the session which has heretofore commenced on the last Wednesday of May. And the general court shall be dissolved on the day next preceding the first Wednesday of January, without any proclamation or other act of the governor. But nothing herein contained shall prevent the general court from assembling at such other times as they shall judge necessary, or when called together by the governor. [The governor, lieutenant-governor and councillors, shall also hold their respective offices for one year next following the first Wednesday of January, and until others are chosen and qualified in their stead.] [See Amendments, Arts. LXIV, LXXII and LXXV.]

[The meeting for the choice of governor, lieutenant-governor, senators, and representatives, shall be held on the second Monday of November in every year; but meetings may be adjourned, if necessary, for the choice of representatives, to the next day, and again to the next succeeding day, but no further. But in case a second meeting shall be necessary for the choice of representatives, such meetings shall be held on the fourth Monday of the same month of November.] [See Amendments, Art. LXIV.] [This paragraph superseded by Amendments, Art. XV.]

All the other provisions of the constitution, respecting the elections and proceedings of the members of the general court, or of any other officers or persons whatever, that have reference to the last Wednesday of May, as the commencement of the political year, shall be so far altered, as to have like reference to the first Wednesday of January.

This article shall go into operation on the first day of October, next following the day when the same shall be duly ratified and adopted as an amendment of the constitution [; and the governor, lieutenant-governor, councillors, senators, representatives, and all other state officers, who are annually chosen, and who shall be chosen for the current year, when the same shall go into operation, shall hold their respective offices until the first Wednesday of January then next following, and until others are chosen and qualified in their stead, and no longer; and the first election of the governor, lieutenant-governor, senators, and representatives, to be had in virtue of this article, shall be had conformably thereunto, in the month of November following the day on which the same shall be in force, and go into operation, pursuant to the foregoing provision].

All the provisions of the existing constitution, inconsistent with the provisions herein contained, are hereby wholly annulled. [See Amendments, Art. LXIV.]

Art. XI. Instead of the third article of the bill of rights, the following modification and amendment thereof is substituted: — "As the public worship of God and instructions in piety, religion, and morality, promote the happiness and prosperity of a people, and the security of a republican government; therefore, the several religious societies of this commonwealth, whether corporate or unincorporate, at any meeting legally warned and holden for that purpose, shall ever have the right to elect their pastors or religious teachers, to contract with them for their support, to raise money for erecting and repairing houses for public worship for the maintenance of religious instruction, and for the payment of necessary expenses; and all persons belonging to any religious society shall be taken and held to be members, until they shall file with the clerk of such society a written notice, declaring the dissolution of their membership, and thenceforth shall not be liable for any grant or contract which may be thereafter made, or entered into by such society; and all religious sects and denominations, demeaning themselves peaceably, and as good citizens of the commonwealth, shall be equally under the protection of the law; and no subordination of any one sect or denomination to another shall ever be established by law." [See Amendments, Arts. XLVI and XLVIII, The Initiative, II, sect. 2, and The Referendum, III, sect.2.]

Art. XII. [In order to provide for a representation of the citizens of this commonwealth, founded upon the principles of equality, a census of the ratable polls, in each city, town and district of the commonwealth, on the first day of May, shall be taken and returned into the secretary's office, in such manner as the legislature shall provide, within the month of May, in the year of our Lord one thousand eight hundred and thirty-seven, and in every tenth year thereafter, in the month of May, in manner aforesaid; and each town or city having three hundred ratable polls at the last preceding decennial census of polls, may elect one representative, and for every four hundred and fifty ratable polls in addition to the first three hundred, one representative more.

Any town having less than three hundred ratable polls shall be represented thus: The whole number of ratable polls, at the last preceding decennial census of polls, shall be multiplied by ten, and the product divided by three hundred; and such town may elect one representative as many years within ten years, as three hundred is contained in the product aforesaid.

Any city or town having ratable polls enough to elect one or more representatives, with any number of polls beyond the necessary number, may be represented, as to that surplus number, by multiplying such surplus number by ten and dividing the product by four hundred and fifty; and such city or town may elect one additional representative as many years, within the ten years, as four hundred and fifty is contained in the product aforesaid.

Any two or more of the several towns and districts may, by consent of a majority of the legal voters present at a legal meeting, in each of said towns and districts, respectively, called for that purpose, and held previous to the first day of July, in the year in which the decennial census of polls shall be taken, form themselves into a representative district to continue until the next decennial census of polls, for the election of a representative, or representatives; and such district shall have all the rights, in regard to representation, which would belong to a town containing the same number of ratable polls.

The governor and council shall ascertain and determine, within the months of July and August, in the year of our Lord one thousand eight hundred and thirty-seven, according to the foregoing principles, the number of representatives, which each city, town and representative district is entitled to elect, and the number of years, within the period of ten years then next ensuing, that each city, town and representative district may elect an additional representative, and where any town has not a sufficient number of polls to elect a representative each year then how many years within the ten years, such town may elect a representative, and the same shall be done once in ten years thereafter by the governor and council, and the number of ratable polls in each decennial census of polls, shall determine the number of representatives which each city, town and representative district may elect as aforesaid; and when the number of representatives to be elected by each city, town or representative district is ascertained and determined as aforesaid, the governor shall cause the same to be published forthwith for the information of the people and that number shall remain fixed and unalterable for the period of ten years.

All the provisions of the existing constitution inconsistent with the provisions herein contained, are hereby wholly annulled.] [Superseded by Amendments, Arts. XIII, XXI, LXXI, XCII, CI and CIX.]

Art. XIII. [A census of the inhabitants of each city and town, on the first day of May, shall be taken, and returned into the secretary's office, on or before the last day of June, of the year one thousand eight hundred and forty, and of every tenth year thereafter; which census shall determine the apportionment of senators and representatives for the term of ten years. [See Amendments, Arts. XXI, XXII, LXXI, XCII, CI, CIX, CXVII and CXIX.]

The several senatorial districts now existing shall be permanent. The senate shall consist of forty members; and in the year one thousand eight hundred and forty, and every tenth year thereafter the governor and council shall assign the number of senators to be chosen in each district, according to the number of inhabitants in the same. But, in all cases, at least one senator shall be assigned to each district. [See Amendments, Arts. XXII, LXXI, XCII, CI, CIX, CXVII and CXIX.]

The members of the house of representatives shall be apportioned in the following manner: Every town or city containing twelve hundred inhabitants may elect one representative; and two thousand four hundred inhabitants shall be the mean increasing number, which shall entitle it to an additional representative. [See Amendments, Arts. XXI, LXXI, XCII, CI and CIX.]

Every town containing less than twelve hundred inhabitants shall be entitled to elect a representative as many times within ten years as the number one hundred and sixty is contained in the number of the inhabitants of said town. Such towns may also elect one representative for the year in which the valuation of estates within the commonwealth shall be settled.

Any two or more of the several towns may, by consent of a majority of the legal voters present at a legal meeting, in each of said towns, respectively, called for that purpose, and held before the first day of August, in the year one thousand eight hundred and forty, and every tenth year thereafter, form themselves into a representative district, to continue for the term of ten years; and such district shall have all the rights, in regard to representation, which would belong to a town containing the same number of inhabitants.

The number of inhabitants which shall entitle a town to elect one representative, and the mean increasing number which shall entitle a town or city to elect more than one, and also the number by which the population of towns not entitled to a representative every year is to be divided, shall be increased, respectively, by one-tenth of the numbers above mentioned, whenever the population of the commonwealth shall have increased to seven hundred and seventy thousand, and for every additional increase of seventy thousand inhabitants, the same addition of one-tenth shall be made, respectively, to the said numbers above mentioned.

In the year of each decennial census, the governor and council shall, before the first day of September, apportion the number of representatives which each city, town, and representative district is entitled to elect, and ascertain how many years, within ten years, any town may elect a representative, which is not entitled to elect one every year; and the governor shall cause the same to be published forthwith.

Nine councillors shall be annually chosen from among the people at large, on the first Wednesday of January, or as soon thereafter as may be, by the joint ballot of the senators and representatives, assembled in one room, who shall, as soon as may be, in like manner, fill up any vacancies that may happen in the council, by death, resignation, or otherwise. No person shall be elected a councillor, who has not been an inhabitant of this commonwealth for the term of five years immediately preceding his election; and not more than one councillor shall be chosen from any one senatorial district in the commonwealth.] [See Amendments, Arts. XVI, LXIV, LXXX, XCII, CI, CIX, CXVII and CXIX.]

No possession of a freehold, or of any other estate, shall be required as a qualification for holding a seat in either branch of the general court, or in the executive council.

Art. XIV. In all elections of civil officers by the people of this commonwealth, whose election is provided for by the constitution, the person having the highest number of votes shall be deemed and declared to be elected.

Art. XV. The meeting for the choice of governor, lieutenant-governor, senators, and representatives, shall be held on the Tuesday next after the first Monday in November, annually; but in case of a failure to elect representatives on that day, a second meeting shall be holden, for that purpose, on the fourth Monday of the same month of November. [See Amendments, Art. LXIV and LXXX.]

Art. XVI. Eight councillors shall be annually chosen by the inhabitants of this commonwealth, qualified to vote for governor. The election of councillors shall be determined by the same rule that is required in the election of governor. The legislature, at its first session after this amendment shall have been adopted, and at its first session after the next state census shall have been taken, and at its first session after each decennial state census thereafterwards, shall divide the commonwealth into eight districts of contiguous territory, each containing a number of inhabitants as nearly equal as practicable, without dividing any town or ward of a city, and each entitled to elect one councillor: provided, however, that if, at any time, the constitution shall provide for the division of the commonwealth into forty senatorial districts, then the legislature shall so arrange the councillor districts, that each district shall consist of five contiguous senatorial districts, as they shall be, from time to time, established by the legislature. No person shall be eligible to the office of councillor who has not been an inhabitant of the commonwealth for the term of five years immediately preceding his election. The day and manner of the election, the return of the votes, and the declaration of the said elections, shall be the same as are required in the election of governor. [Whenever there shall be a failure to elect the full number of councillors, the vacancies shall be filled in the same manner as is required for filling vacancies in the senate; and vacancies occasioned by death, removal from the state, or otherwise, shall be filled in like manner, as soon as may be, after such vacancies shall have happened.] And that there may be no delay in the organization of the government on the first Wednesday of January, the governor, with at least five councillors for the time being, shall, as soon as may be, examine the returned copies of the records for the election of governor, lieutenant-governor, and councillors; and ten days before the said first Wednesday in January he shall issue his summons to such persons as appear to be chosen, to attend on that day to be qualified accordingly; and the secretary shall lay the returns before the senate and house of representatives on the said first Wednesday in January, to be by them examined; and in case of the election of either of said officers, the choice shall be by them declared and published; but in case there shall be no election of either of said officers, the legislature shall proceed to fill such vacancies in the manner provided in the constitution for the choice of such officers. [See Amendments, Arts. XXV, LXIV and LXXX.]

Art. XVII. The secretary, treasurer and receiver-general, auditor, and attorney-general, shall be chosen [annually], on the day in November prescribed for the choice of governor; and each person then chosen as such, duly qualified in other respects, shall hold his office for the term of [one year] from the third Wednesday in January next thereafter, and until another is chosen and qualified in his stead. The qualification of the voters, the manner of the election, the return of the votes, and the declaration of the election, shall be such as are required in the election of governor. In case of a failure to elect either of said officers on the day in November aforesaid, or in case of the decease, in the meantime, of the person elected as such, such officer shall be chosen on or before the third Wednesday in January next thereafter, from the [two persons who had the highest number of votes for said offices on the day in November aforesaid], by joint ballot of the senators and representatives, in one room; and in case the office of secretary, or treasurer and receiver-general, or auditor, or attorney-general, shall become vacant, from any cause, during an annual or special session of the general court, such vacancy shall in like manner be filled by choice from the people at large; but if such vacancy shall occur at any other time, it shall be supplied by the governor by appointment, with the advice and consent of the council. The person so chosen or appointed, duly qualified in other respects, shall hold his office until his successor is chosen and duly qualified in his stead. In case any person chosen or appointed to either of the offices aforesaid, shall neglect, for the space of ten days after he could otherwise enter upon his duties, to qualify himself in all respects to enter upon the discharge of such duties, the office to which he has been elected or appointed shall be deemed vacant. No person shall be eligible to either of said offices unless he shall have been an inhabitant of this commonwealth five years next preceding his election or appointment. [See Amendments, Arts. LXIV, LXXIX and LXXX.]

Art. XVIII. [All moneys raised by taxation in the towns and cities for the support of public schools, and all moneys which may be appropriated by the state for the support of common schools, shall be applied to, and expended in, no other schools than those which are conducted according to law, under the order and superintendence of the authorities of the town or city in which the money is to be expended; and such money shall never be appropriated to any religious sect for the maintenance, exclusively, of its own school.] [Superseded by Amendments, Arts. XLVI, XCVI and CIII.]

Art. XIX. The legislature shall prescribe, by general law, for the election of sheriffs, registers of probate, [commissioners of insolvency,] and clerks of the courts, by the people of the several counties, and that district-attorneys shall be chosen by the people of the several districts, for such term of office as the legislature shall prescribe. [See Amendments, Art. XXXVI.]

Art. XX. No person shall have the right to vote, or be eligible to office under the constitution of this commonwealth, who shall not be able to read the constitution in the English language, and write his name: provided, however, that the provisions of this amendment shall not apply to any person prevented by a physical disability from complying with its requisitions, nor to any person who now has the right to vote, nor to any persons who shall be sixty years of age or upwards at the time this amendment shall take effect. [See Amendments, Arts. III, XXIII, XXVI, XXVIII, XXX, XXXI, XXXII, XL, XLV and LXXVI.]

Art. XXI. [A census of the legal voters of each city and town, on the first day of May, shall be taken and returned into the office of the secretary of the commonwealth, on or before the last day of June, in the year one thousand eight hundred and fifty-seven; and a census of the inhabitants of each city and town, in the year one thousand eight hundred and sixty-five, and of every tenth year thereafter. In the census aforesaid, a special enumeration shall be made of the legal voters; and in each city, said enumeration shall specify the number of such legal voters aforesaid, residing in each ward of such city. The enumeration aforesaid shall determine the apportionment of representatives for the periods between the taking of the census.

The house of representatives shall consist of two hundred and forty members, which shall be apportioned by the legislature, at its first session after the return of each enumeration as aforesaid, to the several counties of the commonwealth, equally, as nearly as may be, according to their relative numbers of legal voters, as ascertained by the next preceding special enumeration; and the town of Cohasset, in the county of Norfolk, shall, for this purpose, as well as in the formation of districts, as hereinafter provided, be considered a part of the county of Plymouth; and it shall be the duty of the secretary of the commonwealth, to certify, as soon as may be after it is determined by the legislature, the number of representatives to which each county shall be entitled, to the board authorized to divide each county into representative districts. The mayor and aldermen of the city of Boston, the county commissioners of other counties than Suffolk, — or in lieu of the mayor and aldermen of the city of Boston, or of the county commissioners in each county other than Suffolk, such board of special commissioners in each county, to be elected by the people of the county, or of the towns therein, as may for that purpose be provided by law, — shall, on the first Tuesday of August next after each assignment of representatives to each county, assemble at a shire town of their respective counties, and proceed, as soon as may be, to divide the same into representative districts of contiguous territory, so as to apportion the representation assigned to each county equally, as nearly as may be, according to the relative number of legal voters in the several districts of each county; and such districts shall be so formed that no town or ward of a city shall be divided therefor, nor shall any district be made which shall be entitled to elect more than three representatives. Every representative, for one year at least next preceding his election, shall have been an inhabitant of the district for which he is chosen and shall cease to represent such district when he shall cease to be an inhabitant of the commonwealth. The districts in each county shall be numbered by the board creating the same, and a description of each, with the numbers thereof and the number of legal voters therein, shall be returned by the board, to the secretary of the commonwealth, the county treasurer of each county, and to the clerk of every town in each district, to be filed and kept in their respective offices. The manner of calling and conducting the meetings for the choice of representatives, and of ascertaining their election, shall be prescribed by law.] [Not less than one hundred members of the house of representatives shall constitute a quorum for doing business; but a less number may organize temporarily, adjourn from day to day, and compel the attendance of absent members.] [Annulled and superseded by Amendments, Arts. XXXIII, LXXI, XCII, CI, CIX, CXVII and CXIX.]

Art. XXII. [A census of the legal voters of each city and town, on the first day of May, shall be taken and returned into the office of the secretary of the commonwealth, on or before the last day of June, in the year one thousand eight hundred and fifty-seven; and a census of the inhabitants of each city and town, in the year one thousand eight hundred and sixty-five, and of every tenth year thereafter. In the census aforesaid, a special enumeration shall be made of the legal voters, and in each city said enumeration shall specify the number of such legal voters aforesaid, residing in each ward of such city. The enumeration aforesaid shall determine the apportionment of senators for the periods between the taking of the census. The senate shall consist of forty members. The general court shall, at its first session after each next preceding special enumeration, divide the commonwealth into forty districts of adjacent territory, each district to contain, as nearly as may be, an equal number of legal voters, according to the enumeration aforesaid: provided, however, that no town or ward of a city shall be divided therefor; and such districts shall be formed, as nearly as may be, without uniting two counties, or parts of two or more counties, into one district. Each district shall elect one senator, who shall have been an inhabitant of this commonwealth five years at least immediately preceding his election, and at the time of his election shall be an inhabitant of the district for which he is chosen; and he shall cease to represent such senatorial district when he shall cease to be an inhabitant of the commonwealth.] [Not less than sixteen senators shall constitute a quorum for doing business; but a less number may organize temporarily, adjourn from day to day, and compel the attendance of absent members.] [See Amendments, Art. XXIV.] [Annulled and superseded by Amendments, Arts. XXXIII, LXXI, XCII, CI, CIX, CXVII and CXIX.]

Art. XXIII. [No person of foreign birth shall be entitled to vote, or shall be eligible to office, unless he shall have resided within the jurisdiction of the United States for two years subsequent to his naturalization, and shall be otherwise qualified, according to the constitution and laws of this commonwealth: provided, that this amendment shall not affect the rights which any person of foreign birth possessed at the time of the adoption thereof; and, provided, further, that it shall not affect the rights of any child of a citizen of the United States, born during the temporary absence of the parent therefrom.] [Annulled by Amendments, Art. XXVI.]

Art. XXIV. Any vacancy in the senate shall be filled by election by the people of the unrepresented district, upon the order of a majority of the senators elected.

Art. XXV. In case of a vacancy in the council, from a failure of election, or other cause, the senate and house of representatives shall, by concurrent vote, choose some eligible person from the people of the district wherein such vacancy occurs, to fill that office. If such vacancy shall happen when the legislature is not in session, the governor, with the advice and consent of the council, may fill the same by appointment of some eligible person.

Art. XXVI. The twenty-third article of the articles of amendment of the constitution of this commonwealth, which is as follows, to wit: "No person of foreign birth shall be entitled to vote, or shall be eligible to office, unless he shall have resided within the jurisdiction of the United States for two years subsequent to his naturalization, and shall be otherwise qualified, according to the constitution and laws of this commonwealth: provided, that this amendment shall not affect the rights which any person of foreign birth possessed at the time of the adoption thereof; and provided, further, that it shall not affect the rights of any child of a citizen of the United States, born during the temporary absence of the parent therefrom," is hereby wholly annulled.

Art. XXVII. So much of article two of chapter six of the constitution of this commonwealth as relates to persons holding the office of president, professor, or instructor of Harvard College, is hereby annulled.

Art. XXVIII. No person having served in the army or navy of the United States in time of war, and having been honorably discharged from such service, if otherwise qualified to vote, shall be disqualified therefor on account of [being a pauper;] or [if a pauper,] because of the non-payment of a poll tax. [Amended by Amendments, Art. XXXI.]

Art. XXIX. The General Court shall have full power and authority to provide for the inhabitants of the towns in this Commonwealth more than one place of public meeting within the limits of each town for the election of officers under the constitution, and to prescribe the manner of calling, holding and conducting such meetings. All the provisions of the existing constitution inconsistent with the provisions herein contained are hereby annulled. [For absent voting, see Amendments, Arts. XLV and LXXVI.]

Art. XXX. No person, otherwise qualified to vote in elections for governor, lieutenant-governor, senators, and representatives, shall, by reason of a change of residence within the Commonwealth, be disqualified from voting for said officers in the city or town from which he has removed his residence, until the expiration of six calendar months from the time of such removal. [For absent and compulsory voting, see Amendments, Arts. XLV, LXI and LXXVI.]

Art. XXXI. Article twenty-eight of the Amendments of the Constitution is hereby amended by striking out in the fourth line thereof the words "being a pauper", and inserting in place thereof the words: — receiving or having received aid from any city or town, — and also by striking out in said fourth line the words "if a pauper", so that the article as amended shall read as follows: — ARTICLE XXVIII. No person having served in the army or navy of the United States in time of war, and having been honorably discharged from such service, if otherwise qualified to vote, shall be disqualified therefor on account of receiving or having received aid from any city or town, or because of the non-payment of a poll tax.

Art. XXXII. So much of article three of the Amendments of the Constitution of the Commonwealth as is contained in the following words: "and who shall have paid, by himself, or his parent, master, or guardian, any state or county tax, which shall, within two years next preceding such election, have been assessed upon him, in any town or district of this Commonwealth; and also every citizen who shall be, by law, exempted from taxation, and who shall be, in all other respects, qualified as above mentioned", is hereby annulled.

Art. XXXIII. A majority of the members of each branch of the General Court shall constitute a quorum for the transaction of business, but a less number may adjourn from day to day, and compel the attendance of absent members. All the provisions of the existing Constitution inconsistent with the provisions herein contained are hereby annulled.

Art. XXXIV. So much of article two of section one of chapter two of part the second of the Constitution of the Commonwealth as is contained in the following words: "and unless he shall at the same time be seized, in his own right, of a freehold, within the Commonwealth, of the value of one thousand pounds"; is hereby annulled.

Art. XXXV. So much of article two of section three of chapter one of the Constitution of the Commonwealth as is contained in the following words: "The expenses of travelling to the general assembly, and returning home, once in every session, and no more, shall be paid by the government, out of the public treasury, to every member who shall attend as seasonably as he can, in the judgment of the house, and does not depart without leave", is hereby annulled.

Art. XXXVI. So much of article nineteen of the articles of Amendment to the Constitution of the Commonwealth as is contained in the following words: "commissioners of insolvency", is hereby annulled.

Art. XXXVII. The governor, with the consent of the council, may remove justices of the peace and notaries public.

Art. XXXVIII. Voting machines or other mechanical devices for voting may be used at all elections under such regulations as may be prescribed by law: provided, however, that the right of secret voting shall be preserved.

Art. XXXIX. Article ten of part one of the Constitution is hereby amended by adding to it the following words: — The legislature may by special acts for the purpose of laying out, widening or relocating highways or streets, authorize the taking in fee by the Commonwealth, or by a county, city or town, of more land and property than are needed for the actual construction of such highway or street: provided, however, that the land and property authorized to be taken are specified in the act and are no more in extent than would be sufficient for suitable building lots on both sides of such highway or street, and after so much of the land or property has been appropriated for such highway or street as is needed therefor, may authorize the sale of the remainder for value with or without suitable restrictions.

Art. XL. Article three of the Amendments to the Constitution is hereby amended by inserting after the word "guardianship", in line two, the following: — and persons temporarily or permanently disqualified by law because of corrupt practices in respect to elections.

Art. XLI. Full power and authority are hereby given and granted to the general court to prescribe for wild or forest lands such methods of taxation as will develop and conserve the forest resources of the commonwealth. [Annulled and superseded by Amendments, Art. CX.]

Art. XLII. [Full power and authority are hereby given and granted to the general court to refer to the people for their rejection or approval at the polls any act or resolve of the general court or any part or parts thereof. Such reference shall be by a majority yea and nay vote of all members of each house present and voting. Any act, resolve, or part thereof so referred shall be voted on at the regular state election next ensuing after such reference, shall become law if approved by a majority of the voters voting thereon, and shall take effect at the expiration of thirty days after the election at which it was approved or at such time after the expiration of the said thirty days as may be fixed in such act, resolve or part thereof.] [Annulled and superseded by Amendments, Art. XLVIII, General Provisions, VIII.]

Art. XLIII. The general court shall have power to authorize the commonwealth to take land and to hold, improve, subdivide, build upon and sell the same, for the purpose of relieving congestion of population and providing homes for citizens: provided, however, that this amendment shall not be deemed to authorize the sale of such land or buildings at less than the cost thereof.

Art. XLIV. Full power and authority are hereby given and granted to the general court to impose and levy a tax on income in the manner hereinafter provided. Such tax may be at different rates upon income derived from different classes of property, but shall be levied at a uniform rate throughout the commonwealth upon incomes derived from the same class of property. The general court may tax income not derived from property at a lower rate than income derived from property, and may grant reasonable exemptions and abatements. Any class of property the income from which is taxed under the provisions of this article may be exempted from the imposition and levying of proportional and reasonable assessments, rates and taxes as at present authorized by the constitution. This article shall not be construed to limit the power of the general court to impose and levy reasonable duties and excises.

Art. XLV. [The general court shall have power to provide by law for voting by qualified voters of the commonwealth who, at the time of an election, are absent from the city or town of which they are inhabitants in the choice of any officer to be elected or upon any question submitted at such election.] [Annulled and superseded by Amendments, Arts. LXXVI and CV.] [For compulsory voting, see Amendments, Art. LXI.]

Art. XLVI. (In place of article XVIII of the articles of amendment of the constitution ratified and adopted April 9, 1821, the following article of amendment, submitted by the constitutional convention, was ratified and adopted November 6, 1917.) Article XVIII. SECTION 1. No law shall be passed prohibiting the free exercise of religion.

SECTION 2. All moneys raised by taxation in the towns and cities for the support of public schools, and all moneys which may be appropriated by the commonwealth for the support of common schools shall be applied to, and expended in, no other schools than those which are conducted according to law, under the order and superintendence of the authorities of the town or city in which the money is expended; and no grant, appropriation or use of public money or property or loan of public credit shall be made or authorized by the commonwealth or any political division thereof for the purpose of founding, maintaining or aiding any school or institution of learning, whether under public control or otherwise, wherein any denominational doctrine is inculcated, or any other school, or any college, infirmary, hospital, institution, or educational, charitable or religious undertaking which is not publicly owned and under the exclusive control, order and superintendence of public officers or public agents authorized by the commonwealth or federal authority or both, except that appropriations may be made for the maintenance and support of the Soldiers' Home in Massachusetts and for free public libraries in any city or town, and to carry out legal obligations, if any, already entered into; and no such grant, appropriation or use of public money or property or loan of public credit shall be made or authorized for the purpose of founding, maintaining or aiding any church, religious denomination or society.

SECTION 3. Nothing herein contained shall be construed to prevent the commonwealth, or any political division thereof, from paying to privately controlled hospitals, infirmaries, or institutions for the deaf, dumb or blind not more than the ordinary and reasonable compensation for care or support actually rendered or furnished by such hospitals, infirmaries or institutions to such persons as may be in whole or in part unable to support or care for themselves.

SECTION 4. Nothing herein contained shall be construed to deprive any inmate of a publicly controlled reformatory, penal or charitable institution of the opportunity of religious exercises therein of his own faith; but no inmate of such institution shall be compelled to attend religious services or receive religious instruction against his will, or, if a minor, without the consent of his parent or guardian.

SECTION 5. This amendment shall not take effect until the October first next succeeding its ratification and adoption by the people. [See Amendments, Arts. XLVIII, The Initiative, II, sect. 2, and LXII, XCVI, sect. 1 and CIII.]

Art. XLVII. The maintenance and distribution at reasonable rates, during time of war, public exigency, emergency or distress, of a sufficient supply of food and other common necessaries of life and the providing of shelter, are public functions, and the commonwealth and the cities and towns therein may take and may provide the same for their inhabitants in such manner as the general court shall determine.

Art. XLVIII.

I. Definition.

Legislative power shall continue to be vested in the general court; but the people reserve to themselves the popular initiative, which is the power of a specified number of voters to submit constitutional amendments and laws to the people for approval or rejection; and the popular referendum, which is the power of a specified number of voters to submit laws, enacted by the general court, to the people for their ratification or rejection.

THE INITIATIVE.

II. Initiative Petitions.

SECTION 1. *Contents.* — An initiative petition shall set forth the full text of the constitutional amendment or law, hereinafter designated as the measure, which is proposed by the petition.

SECTION 2. *Excluded Matters.* — No measure that relates to religion, religious practices or religious institutions; or to the appointment, qualification, tenure, removal, recall or compensation of judges; or to the reversal of a judicial decision; or to the powers, creation or abolition of courts; or the operation of which is restricted to a particular town, city or other political division or to particular districts or localities of the commonwealth; or that makes a specific appropriation of money from the treasury of the commonwealth, shall be proposed by an initiative petition; but if a law approved by the people is not repealed, the general court shall raise by taxation or otherwise and shall appropriate such money as may be necessary to carry such law into effect.

Neither the eighteenth amendment of the constitution, as approved and ratified to take effect on the first day of October in the year nineteen hundred and eighteen, nor this provision for its protection, shall be the subject of an initiative amendment.

No proposition inconsistent with any one of the following rights of the individual, as at present declared in the declaration of rights, shall be the subject of an initiative or referendum petition: The right to receive compensation for private property appropriated to public use; the right of access to and protection in courts of justice; the right of trial by jury; protection from unreasonable search, unreasonable bail and the law martial; freedom of the press; freedom of speech; freedom of elections; and the right of peaceable assembly.

No part of the constitution specifically excluding any matter from the operation of the popular initiative and referendum shall be the subject of an initiative petition; nor shall this section be the subject of such a petition.

The limitations on the legislative power of the general court in the constitution shall extend to the legislative power of the people as exercised hereunder.

[SECTION 3. *Mode of Originating.* — Such petition shall first be signed by ten qualified voters of the commonwealth and shall then be submitted to the attorney-general, and if he shall certify that the measure is in proper form for submission to the people, and that it is not, either affirmatively or negatively, substantially the same as any measure which has been qualified for submission or submitted to the people within three years of the succeeding first Wednesday in December and that it contains only subjects not excluded from the popular initiative and which are related or which are mutually dependent, it may then be filed with the secretary of the commonwealth. The secretary of the commonwealth shall provide blanks for the use of subsequent signers, and shall print at the top of each blank a description of the proposed measure as such description will appear on the ballot together with the names and residences of the first ten signers. All initiative petitions, with the first ten signatures attached, shall be filed with the secretary of the commonwealth not earlier than the first Wednesday of the September before the assembling of the general court into which they are to be introduced, and the remainder of the required signatures shall be filed not later than the first Wednesday of the following December.] [Section 3 superseded by section 1 of Amendments, Art. LXXIV.]

SECTION 4. *Transmission to the General Court.* — If an initiative petition, signed by the required number of qualified voters, has been filed as aforesaid, the secretary of the commonwealth shall, upon the assembling of the general court, transmit it to the clerk of the house of representatives, and the proposed measure shall then be deemed to be introduced and pending.

III. Legislative Action. General Provisions.

SECTION 1. *Reference to Committee.* — If a measure is introduced into the general court by initiative petition, it shall be referred to a committee thereof, and the petitioners and all parties in interest shall be heard, and the measure shall be considered and reported upon to the general court with the committee's recommendations, and the reasons therefor, in writing. Majority and minority reports shall be signed by the members of said committee.

SECTION 2. *Legislative Substitutes.* — The general court may, by resolution passed by yea and nay vote, either by the two houses separately, or in the case of a constitutional amendment by a majority of those voting thereon in joint session in each of two years as hereinafter provided, submit to the people a substitute for any measure introduced by initiative petition, such substitute to be designated on the ballot as the legislative substitute for such an initiative measure and to be grouped with it as an alternative therefor.

IV. Legislative Action on Proposed Constitutional Amendments.

SECTION 1. *Definition.* — A proposal for amendment to the constitution introduced into the general court by initiative petition shall be designated an initiative amendment, and an amendment introduced by a member of either house shall be designated a legislative substitute or a legislative amendment.

[SECTION 2. *Joint Session.* — If a proposal for a specific amendment of the constitution is introduced into the general court by initiative petition signed by not less than twenty-five thousand qualified voters, or if in case of a proposal for amendment introduced into the general court by a member of either house, consideration thereof in joint session is called for by vote of either house, such proposal shall, not later than the second Wednesday in June, be laid before a joint session of the two houses, at which the president of the senate shall preside; and if the two houses fail to agree upon a time for holding any joint session hereby required, or fail to continue the same from time to time until final action has been taken upon all amendments pending, the governor shall call such joint session or continuance thereof.] [Section 2 superseded by section 1 of Amendments, Art. LXXXI.]

SECTION 3. *Amendment of Proposed Amendments.* — A proposal for an amendment to the constitution introduced by initiative petition shall be voted upon in the form in which it was introduced, unless such amendment is amended by vote of three-fourths of the members voting thereon in joint session, which vote shall be taken by call of the yeas and nays if called for by any member.

SECTION 4. *Legislative Action.* — Final legislative action in the joint session upon any amendment shall be taken only by call of the yeas and nays, which shall be entered upon the journals of the two houses; and an unfavorable vote at any stage preceding final action shall be verified by call of the yeas and nays, to be entered in like manner. At such joint session a legislative amendment receiving the affirmative votes of a majority of all the members elected, or an initiative amendment receiving the affirmative votes of not less than one-fourth of all the members elected, shall be referred to the next general court.

SECTION 5. *Submission to the People.* — If in the next general court a legislative amendment shall again be agreed to in joint session by a majority of all the members elected, or if an initiative amendment or a legislative substitute shall again receive the affirmative votes of at least one-fourth of all the members elected, such fact shall be certified by the clerk of such joint session to the secretary of the commonwealth, who shall submit the amendment to the people at the next state election. Such amendment shall become part of the constitution if approved, in the case of a legislative amendment, by a majority of the voters voting thereon, or if approved, in the case of an initiative amendment or a legislative substitute, by voters equal in number to at least thirty per cent of the total number of ballots cast at such state election and also by a majority of the voters voting on such amendment.

V. Legislative Action on Proposed Laws.

[SECTION 1. *Legislative Procedure.* — If an initiative petition for a law is introduced into the general court, signed by not less than twenty thousand qualified voters, a vote shall be taken by yeas and nays in both houses before the first Wednesday of June upon the enactment of such law in the form in which it stands in such petition. If the general court fails to enact such law before the first Wednesday of June, and if such petition is completed by filing with the secretary of the commonwealth, not earlier than the first Wednesday of the following July nor later than the first Wednesday of the following August, not less than five thousand signatures of qualified voters, in addition to those signing such initiative petition, which signatures must have been obtained after the first Wednesday of June aforesaid, then the secretary of the commonwealth shall submit such proposed law to the people at the next state election. If it shall be approved by voters equal in number to at least thirty per cent of the total number of ballots cast at such state election and also by a majority of the voters voting on such law, it shall become law, and shall take effect in thirty days after such state election or at such time after such election as may be provided in such law.] [Section 1 superseded by section 2 of Amendments, Art. LXXXI.]

[SECTION 2. *Amendment by Petitioners.* — If the general court fails to pass a proposed law before the first Wednesday of June, a majority of the first ten signers of the initiative petition therefor shall have the right, subject to certification by the attorney-general filed as hereinafter provided, to amend the measure which is the subject of such petition. An amendment so made shall not invalidate any signature attached to the petition. If the measure so amended, signed by a majority of the first ten signers, is filed with the secretary of the commonwealth before the first Wednesday of the following July, together with a certificate signed by the attorney-general to the effect that the amendment made by such proposers is in his opinion perfecting in its nature and does not materially change the substance of the measure, and if such petition is completed by filing with the secretary of the commonwealth, not earlier than the first Wednesday of the following July nor later than the first Wednesday of the following August, not less than five thousand signatures of qualified voters, in addition to those signing such initiative petition, which signatures must have been obtained after the first Wednesday of June aforesaid, then the secretary of the commonwealth shall submit the measure to the people in its amended form.] [Section 2 superseded by section 3 of Amendments, Art. LXXXI.]

VI. Conflicting and Alternative Measures.

If in any judicial proceeding, provisions of constitutional amendments or of laws approved by the people at the same election are held to be in conflict, then the provisions contained in the measure that received the largest number of affirmative votes at such election shall govern.

A constitutional amendment approved at any election shall govern any law approved at the same election.

The general court, by resolution passed as hereinbefore set forth, may provide for grouping and designating upon the ballot as conflicting measures or as alternative measures, only one of which is to be adopted, any two or more proposed constitutional amendments or laws which have been or may be passed or qualified for submission to the people at any one election; provided, that a proposed constitutional amendment and a proposed law shall not be so grouped, and that the ballot shall afford an opportunity to the voter to vote for each of the measures or for only one of the measures, as may be provided in said resolution, or against each of the measures so grouped as conflicting or as alternative. In case more than one of the measures so grouped shall receive the vote required for its approval as herein provided, only that one for which the largest affirmative vote was cast shall be deemed to be approved.

THE REFERENDUM.

I. When Statutes shall take Effect.

No law passed by the general court shall take effect earlier than ninety days after it has become a law, excepting laws declared to be emergency laws and laws which may not be made the subject of a referendum petition, as herein provided.

II. Emergency Measures.

A law declared to be an emergency law shall contain a preamble setting forth the facts constituting the emergency, and shall contain the statement that such law is necessary for the immediate preservation of the public peace, health, safety or convenience. [A separate vote shall be taken on the preamble by call of the yeas and nays, which shall be recorded, and unless the preamble is adopted by two-thirds of the members of each house voting thereon, the law shall not be an emergency law; but] if the governor, at any time before the election at which it is to be submitted to the people on referendum, files with the secretary of the commonwealth a statement declaring that in his opinion the immediate preservation of the public peace, health, safety or convenience requires that such law should take effect forthwith and that it is an emergency law and setting forth the facts constituting the emergency, then such law, if not previously suspended as hereinafter provided, shall take effect without suspension, or if such law has been so suspended such suspension shall thereupon terminate and such law shall thereupon take effect: but no grant of any franchise or amendment thereof, or renewal or extension thereof for more than one year shall be declared to be an emergency law. [See Amendments, Art. LXVII.]

III. Referendum Petitions.

SECTION 1. *Contents.* — A referendum petition may ask for a referendum to the people upon any law enacted by the general court which is not herein expressly excluded.

SECTION 2. *Excluded Matters.* — No law that relates to religion, religious practices or religious institutions; or to the appointment, qualification, tenure, removal or compensation of judges; or to the powers, creation or abolition of courts; or the operation of which is restricted to a particular town, city or other political division or to particular districts or localities of the commonwealth; or that appropriates money for the current or ordinary expenses of the commonwealth or for any of its departments, boards, commissions or institutions shall be the subject of a referendum petition.

SECTION 3. *Mode of Petitioning for the Suspension of a Law and a Referendum thereon.* — A petition asking for a referendum on a law, and requesting that the operation of such law be suspended, shall first be signed by ten qualified voters and shall then be filed with the secretary of the commonwealth not later than thirty days after the law that is the subject of the petition has become law. [The secretary of the commonwealth shall provide blanks for the use of subsequent signers, and shall print at the top of each blank a description of the proposed law as such description will appear on the ballot together with the names and residences of the first ten signers. If such petition is completed by filing with the secretary of the commonwealth not later than ninety days after the law which is the subject of the petition has become law the signatures of not less than fifteen thousand qualified voters of the commonwealth, then the operation of such law shall be suspended, and the secretary of the commonwealth shall submit such law to the people at the next state election, if thirty days intervene between the date when such petition is filed with the secretary of the commonwealth and the date for holding such state election; if thirty days do not so intervene, then such law shall be submitted to the people at the next following state election, unless in the meantime it shall have been repealed; and if it shall be approved by a majority of the qualified voters voting thereon, such law shall, subject to the provisions of the constitution, take effect in thirty days after such election, or at such time after such election as may be provided in such law; if not so approved such law shall be null and void; but no such law shall be held to be disapproved if the negative vote is less than thirty per cent of the total number of ballots cast at such state election.] [Section 3 amended by section 2 of Amendments, Art. LXXIV and section 4 of Amendments, Art. LXXXI.]

SECTION 4. *Petitions for Referendum on an Emergency Law or a Law the Suspension of which is not asked for.* — A referendum petition may ask for the repeal of an emergency law or of a law which takes effect because the referendum petition does not contain a request for suspension, as aforesaid. Such petition shall first be signed by ten qualified voters of the commonwealth, and shall then be filed with the secretary of the commonwealth not later than thirty days after the law which is the subject of the petition has become law. [The secretary of the commonwealth shall provide blanks for the use of subsequent signers, and shall print at the top of each blank a description of the proposed law as such description will appear on the ballot together with the names and residences of the first ten signers. If such petition filed as aforesaid is completed by filing with the secretary of the commonwealth not later than ninety days after the law which is the subject of the petition has become law the signatures of not less than ten thousand qualified voters of the commonwealth protesting against such law and asking for a referendum thereon, then the secretary of the commonwealth shall submit such law to the people at the next state election, if thirty days intervene between the date when such petition is filed with the secretary of the commonwealth and the date for holding such state election. If thirty days do not so intervene, then it shall be submitted to the people at the next following state election, unless in the meantime it shall have been repealed; and if it shall not be approved by a majority of the qualified voters voting thereon, it shall, at the expiration of thirty days after such election, be thereby repealed; but no such law shall be held to be disapproved if the negative vote is less than thirty per cent of the total number of ballots cast at such state election.] [Section 4 superseded by section 3 of Amendments, Art. LXXIV and section 5 of Amendments, Art. LXXXI.]

GENERAL PROVISIONS.

I. Identification and Certification of Signatures.

Provision shall be made by law for the proper identification and certification of signatures to the petitions hereinbefore referred to, and for penalties for signing any such petition, or refusing to sign it, for money or other valuable consideration, and for the forgery of signatures thereto. Pending the passage of such legislation all provisions of law relating to the identification and certification of signatures to petitions for the nomination of candidates for state offices or to penalties for the forgery of such signatures shall apply to the signatures to the petitions herein referred to. The general court may provide by law that no co-partnership or corporation shall undertake for hire or reward to circulate petitions, may require individuals who circulate petitions for hire or reward to be licensed, and may make other reasonable regulations to prevent abuses arising from the circulation of petitions for hire or reward.

II. Limitation on Signatures.

Not more than one-fourth of the certified signatures on any petition shall be those of registered voters of any one county.

[*III. Form of Ballot.*

Each proposed amendment to the constitution, and each law submitted to the people, shall be described on the ballots by a description to be determined by the attorney-general subject to such provision as may be made by law, and the secretary of the commonwealth shall give each question a number and cause such question, except as otherwise authorized herein, to be printed on the ballot in the following form: —

In the case of an amendment to the constitution: Shall an amendment to the constitution (here insert description, and state, in distinctive type, whether approved or disapproved by the general court, and by what vote thereon) be approved?

YES.	
NO.	

In the case of a law: Shall a law (here insert description, and state, in distinctive type, whether approved or disapproved by the general court, and by what vote thereon) be approved?

YES.	
NO.	

IV. Information for Voters.

The secretary of the commonwealth shall cause to be printed and sent to each registered voter in the commonwealth the full text of every measure to be submitted to the people, together with a copy of the legislative committee's majority and minority reports, if there be such, with the names of the majority and minority members thereon, a statement of the votes of the general court on the measure, and a description of the measure as such description will appear on the ballot; and shall, in such manner as may be provided by law, cause to be prepared and sent to the voters other information and arguments for and against the measure.] [*Subheading III* superseded by section 4 of Amendments, Art. LXXIV.] [*Subheading IV* superseded by section 4, Amendments, Art. LXXIV and amended by Amendments, Art. CVIII.]

V. The Veto Power of the Governor.

The veto power of the governor shall not extend to measures approved by the people.

VI. The General Court's Power of Repeal.

Subject to the veto power of the governor and to the right of referendum by petition as herein provided, the general court may amend or repeal a law approved by the people.

VII. Amendment declared to be Self-executing.

This article of amendment to the constitution is self-executing, but legislation not inconsistent with anything herein contained may be enacted to facilitate the operation of its provisions.

VIII. Articles IX and XLII of Amendments of the Constitution annulled.

Article IX and Article XLII of the amendments of the constitution are hereby annulled.

Art. XLIX. The conservation, development and utilization of the agricultural, mineral, forest, water and other natural resources of the commonwealth are public uses, and the general court shall have power to provide for the taking, upon payment of just compensation therefor, of lands and easements or interests therein, including water and mineral rights, for the purpose of securing and promoting the proper conservation, development, utilization and control thereof and to enact legislation necessary or expedient therefor. [Annulled and superseded by Amendments, Art. XCVII.]

Art. L. Advertising on public ways, in public places and on private property within public view may be regulated and restricted by law.

Art. LI. The preservation and maintenance of ancient landmarks and other property of historical or antiquarian interest is a public use, and the commonwealth and the cities and towns therein may, upon payment of just compensation, take such property or any interest therein under such regulations as the general court may prescribe.

Art. LII. The general court, by concurrent vote of the two houses, may take a recess or recesses amounting to not more than thirty days; but no such recess shall extend beyond the sixtieth day from the date of their first assembling. [Annulled and superseded by Amendments, Art. CII.]

Art. LIII. Article X of Section I of Chapter II of the constitution, the last two paragraphs of Article IV of the articles of amendment, relating to the appointment of a commissary general and the removal of militia officers, and Article V of the articles of amendment are hereby annulled, and the following is adopted in place thereof: —

Article X. All military and naval officers shall be selected and appointed and may be removed in such manner as the general court may by law prescribe, but no such officer shall be appointed unless he shall have passed an examination prepared by a competent commission or shall have served one year in either the federal or state militia or in military service. All such officers who are entitled by law to receive commissions shall be commissioned by the governor.

Art. LIV. Article VII of Section I of Chapter II of the constitution is hereby annulled and the following is adopted in place thereof: —

Article VII. The general court shall provide by law for the recruitment, equipment, organization, training and discipline of the military and naval forces. The governor shall be the commander-in-chief thereof, and shall have power to assemble the whole or any part of them for training, instruction or parade, and to employ them for the suppression of rebellion, the repelling of invasion, and the enforcement of the laws. He may, as authorized by the general court, prescribe from time to time the organization of the military and naval forces and make regulations for their government.

Art. LV. Article VI of Section III of Chapter II of the constitution is hereby annulled and the following is adopted in place thereof: —

Whenever the offices of governor and lieutenant-governor shall both be vacant, by reason of death, absence from the commonwealth, or otherwise, then one of the following officers, in the order of succession herein named, namely, the secretary, attorney-general, treasurer and receiver-general, and auditor, shall, during such vacancy, have full power and authority to do and execute all and every such acts, matters and things as the governor or the lieutenant-governor might or could lawfully do or execute, if they, or either of them, were personally present.

Art. LVI. The governor, within five days after any bill or resolve shall have been laid before him, shall have the right to return it to the branch of the general court in which it originated with a recommendation that any amendment or amendments specified by him be made therein. Such bill or resolve shall thereupon be before the general court and subject to amendments and re-enactment. If such bill or resolve is re-enacted in any form it shall again be laid before the governor for his action, but he shall have no right to return the same a second time with a recommendation to amend. [Annulled and superseded by Amendments, Art. XC, Sect. 3.]

Art. LVII. Article IV of the articles of amendment of the constitution of the commonwealth is hereby amended by adding thereto the following words: — Women shall be eligible to appointment as notaries public. — [Change of name shall render the commission void, but shall not prevent reappointment under the new name.] [See Amendments, Art. LXIX.]

Art. LVIII. Article I of Chapter III of Part the Second of the constitution is hereby amended by the addition of the following words: — and provided also that the governor, with the consent of the council, may after due notice and hearing retire them because of advanced age or mental or physical disability. Such retirement shall be subject to any provisions made by law as to pensions or allowances payable to such officers upon their voluntary retirement. [Annulled and superseded by Amendments, Art. XCVIII.]

Art. LIX. Every charter, franchise or act of incorporation shall forever remain subject to revocation and amendment.

Art. LX. The general court shall have power to limit buildings according to their use or construction to specified districts of cities and towns.

Art. LXI. The general court shall have authority to provide for compulsory voting at elections, but the right of secret voting shall be preserved.

Art. LXII. SECTION 1. The credit of the commonwealth shall not in any manner be given or loaned to or in aid of any individual, or of any private association, or of any corporation which is privately owned and managed. [Superseded by Art. LXXXIV.]

SECTION 2. The commonwealth may borrow money to repel invasion, suppress insurrection, defend the commonwealth, or to assist the United States in case of war, and may also borrow money in anticipation of receipts from taxes or other sources, such loan to be paid out of the revenue of the year in which it is created.

SECTION 3. In addition to the loans which may be contracted as before provided, the commonwealth may borrow money only by a vote, taken by the yeas and nays, of two-thirds of each house of the general court present and voting thereon. The governor shall recommend to the general court the term for which any loan shall be contracted.

SECTION 4. Borrowed money shall not be expended for any other purpose than that for which it was borrowed or for the reduction or discharge of the principal of the loan.

Art. LXIII. Section 1. *Collection of Revenue.* — All money received on account of the commonwealth from any source whatsoever shall be paid into the treasury thereof.

Section 2. *The Budget.* — Within three weeks after the convening of the general court the governor shall recommend to the general court a budget which shall contain a statement of all proposed expenditures of the commonwealth for the fiscal year, including those already authorized by law, and of all taxes, revenues, loans and other means by which such expenditures shall be defrayed. This shall be arranged in such form as the general court may by law prescribe, or, in default thereof, as the governor shall determine. For the purpose of preparing his budget, the governor shall have power to require any board, commission, officer or department to furnish him with any information which he may deem necessary. [See Amendments. Arts. LXXII and LXXV.] [Annulled and superseded by Amendments, Art. CVII.]

Section 3. *The General Appropriation Bill.* — All appropriations based upon the budget to be paid from taxes or revenues shall be incorporated in a single bill which shall be called the general appropriation bill. The general court may increase, decrease, add or omit items in the budget. The general court may provide for its salaries, mileage, and expenses and for necessary expenditures in anticipation of appropriations, but before final action on the general appropriation bill it shall not enact any other appropriation bill except on recommendation of the governor. The governor may at any time recommend to the general court supplementary budgets which shall be subject to the same procedure as the original budget.

Section 4. *Special Appropriation Bills.* — After final action on the general appropriation bill or on recommendation of the governor, special appropriation bills may be enacted. Such bills shall provide the specific means for defraying the appropriations therein contained.

Section 5. [*Submission to the Governor.* — The governor may disapprove or reduce items or parts of items in any bill appropriating money. So much of such bill as he approves shall upon his signing the same become law. As to each item disapproved or reduced, he shall transmit to the house in which the bill originated his reason for such disapproval or reduction, and the procedure shall then be the same as in the case of a bill disapproved as a whole. In case he shall fail so to transmit his reasons for such disapproval or reduction within five days after the bill shall have been presented to him, such items shall have the force of law unless the general court by adjournment shall prevent such transmission, in which case they shall not be law.] [See Amendments, Art. XC, sect. 4.]

Art. LXIV. [Section 1. The governor, lieutenant-governor, councillors, secretary, treasurer and receiver-general, attorney-general, auditor, senators and representatives, shall be elected biennially. The governor, lieutenant-governor and councillors shall hold their respective offices from the first Wednesday in January succeeding their election to and including the first Wednesday in January in the third year following their election and until their successors are chosen and qualified. The terms of senators and representatives shall begin with the first Wednesday in January succeeding their election and shall extend to the first Wednesday in January in the third year following their election and until their successors are chosen and qualified. The terms of the secretary, treasurer and receiver-general, attorney-general and auditor, shall begin with the third Wednesday in January succeeding their election and shall extend to the third Wednesday in January in the third year following their election and until their successors are chosen and qualified.] [Section 1 superseded by Amendments, Art. LXXX.]

[SECTION 2. No person shall be eligible to election to the office of treasurer and receiver-general for more than three successive terms.

SECTION 3. The general court shall assemble every year on the first Wednesday in January. [See Amendments, Arts. LXXII and LXXV.]

SECTION 4. The first election to which this article shall apply shall be held on the Tuesday next after the first Monday in November in the year nineteen hundred and twenty, and thereafter elections for the choice of all the officers beforementioned shall be held biennially on the Tuesday next after the first Monday in November.] [Annulled and superseded by Art. LXXXII.]

Art. LXV. No person elected to the general court shall during the term for which he was elected be appointed to any office created or the emoluments whereof are increased during such term, nor receive additional salary or compensation for service upon any recess committee or commission except a committee appointed to examine a general revision of the statutes of the commonwealth when submitted to the general court for adoption.

Art. LXVI. On or before January first, nineteen hundred twenty-one, the executive and administrative work of the commonwealth shall be organized in not more than twenty departments, in one of which every executive and administrative office, board and commission, except those officers serving directly under the governor or the council, shall be placed. Such departments shall be under such supervision and regulation as the general court may from time to time prescribe by law. [Annulled by Amendments, Art. LXXXVII.]

Art. LXVII. Article XLVIII of the Amendments to the Constitution is hereby amended by striking out, in that part entitled *"II Emergency Measures"*, under the heading "THE REFERENDUM", the words "A separate vote shall be taken on the preamble by call of the yeas and nays, which shall be recorded, and unless the preamble is adopted by two-thirds of the members of each House voting thereon, the law shall not be an emergency law; but" and substituting the following: — A separate vote, which shall be recorded, shall be taken on the preamble, and unless the preamble is adopted by two-thirds of the members of each House voting thereon, the law shall not be an emergency law. Upon the request of two members of the Senate or of five members of the House of Representatives, the vote on the preamble in such branch shall be taken by call of the yeas and nays. But

Art. LXVIII. Article III of the amendments to the constitution, as amended, is hereby further amended by striking out, in the first line, the word "male".

Art. LXIX. Section 1. No person shall be deemed to be ineligible to hold state, county or municipal office by reason of sex.

SECTION 2. Article IV of the articles of amendment of the constitution of the commonwealth, as amended by Article LVII of said amendments, is hereby further amended by striking out the words "Change of name shall render the commission void, but shall not prevent reappointment under the new name", and inserting in place thereof the following words: — Upon the change of name of any woman, she shall re-register under her new name and shall pay such fee therefor as shall be established by the general court.

Art. LXX. Article II of the articles of amendment to the constitution of the commonwealth is hereby amended by adding at the end thereof the following new paragraph: —

Nothing in this article shall prevent the General Court from establishing in any corporate town or towns in this commonwealth containing more than six thousand inhabitants a form of town government providing for a town meeting limited to such inhabitants of the town as may be elected to meet, deliberate, act and vote in the exercise of the corporate powers of the town subject to such restrictions and regulations as the General Court may prescribe; provided, that such establishment be with the consent, and on the application of a majority of the inhabitants of such town, present and voting thereon, pursuant to a vote at a meeting duly warned and holden for that purpose. [Annulled by Amendments, Art. LXXXIX.]

Art. LXXI. Article XXI of the articles of amendment is hereby annulled and the following is adopted in place thereof:

Article XXI. In the year nineteen hundred and thirty-five and every tenth year thereafter a census of the inhabitants of each city and town shall be taken and a special enumeration shall be made of the legal voters therein. Said special enumeration shall also specify the number of legal voters residing in each precinct of each town containing twelve thousand or more inhabitants according to said census and in each ward of each city. Each special enumeration shall be the basis for determining the representative districts for the ten year period beginning with the first Wednesday in the fourth January following said special enumeration; provided, that such districts as established in the year nineteen hundred and twenty-six shall continue in effect until the first Wednesday in January in the year nineteen hundred and thirty-nine.

The house of representatives shall consist of two hundred and forty members, which shall be apportioned by the general court, at its first regular session after the return of each special enumeration, to the several counties of the commonwealth equally, as nearly as may be, according to their relative numbers of legal voters, as ascertained by said special enumeration; and the town of Cohasset, in the county of Norfolk, shall, for this purpose, as well as in the formation of districts as hereinafter provided, be considered a part of the county of Plymouth; and it shall be the duty of the secretary of the commonwealth to certify, as soon as may be after it is determined by the general court, the number of representatives to which each county shall be entitled, to the board authorized to divide such county into representative districts. The county commissioners or other body acting as such or, in lieu thereof, such board of special commissioners in each county as may for that purpose be provided by law, shall, within thirty days after such certification by the secretary of the commonwealth or within such other period as the general court may by law provide, assemble at a shire town of their respective counties, and proceed, as soon as may be, to divide the same into representative districts of contiguous territory and assign representatives thereto, so that each representative in such county will represent an equal number of legal voters, as nearly as may be; and such districts shall be so formed that no town containing less than twelve thousand inhabitants according to said census, no precinct of any other town and no ward of a city shall be divided therefor, nor shall any district be made which shall be entitled to elect more than three representatives. The general court may by law limit the time within which judicial proceedings may be instituted calling in question any such apportionment, division or assignment. Every representative, for one year at least immediately preceding his election, shall have been an inhabitant of the district for which he is chosen, and shall cease to represent such district when he shall cease to be an inhabitant of the commonwealth. The districts in each county shall be numbered by the board creating the same, and a description of each, with the numbers thereof and the number of legal voters therein, shall be returned by the board, to the secretary of the commonwealth, the county treasurer of such county, and to the clerk of every city or town in such county, to be filed and kept in their respective offices. The manner of calling and conducting the elections for the choice of representatives, and of ascertaining their election, shall be prescribed by law.

Article XXII of the articles of amendment is hereby annulled and the following is adopted in place thereof:

Article XXII. Each special enumeration of legal voters required in the preceding article of amendment shall likewise be the basis for determining the senatorial districts and also the councillor districts for the ten year period beginning with the first Wednesday in the fourth January following such enumeration; provided, that such districts as established in the year nineteen hundred and twenty-six shall continue in effect until the first Wednesday in January in the year nineteen hundred and thirty-nine. The senate shall consist of forty members. The general court shall, at its first regular session after the return of each special enumeration, divide the commonwealth into forty districts of contiguous territory each district to contain, as nearly as may be, an equal number of legal voters, according to said special enumeration; provided, however, that no town or ward of a city shall be divided therefore; and such districts shall be formed, as nearly as may be, without uniting two counties, or parts of two or more counties, into one district. The general court may by law limit the time within which judicial proceedings may be instituted calling in question such division. Each district shall elect one senator, who shall have been an inhabitant of this commonwealth five years at least immediately preceding his election, and at the time of his election shall be an inhabitant of the district for which he is chosen; and he shall cease to represent such senatorial district when he shall cease to be an inhabitant of the commonwealth. [Superseded by Amendments, Arts. XCII, CI, CIX, CXVII and CXIX.]

Art. LXXII. [SECTION 1. The general court shall assemble in regular session on the first Wednesday of January in the year following the approval of this article and biennially on said Wednesday thereafter. Nothing herein contained shall prevent the general court from assembling at such other times as they shall judge necessary or when called together by the governor.

SECTION 2. The budget required by section two of Article LXIII of the amendments to the constitution shall be for the year in which the same is adopted and for the ensuing year.

SECTION 3. All provisions of this constitution and of the amendments thereto requiring the general court to meet annually are hereby annulled.] [Annulled by Amendments, Art. LXXV.]

Art. LXXIII. Article VIII of section I of chapter II of Part the Second of the constitution of the commonwealth is hereby annulled and the following is adopted in place thereof: —

Article VIII. The power of pardoning offenses, except such as persons may be convicted of before the senate by an impeachment of the house, shall be in the governor, by and with the advice of council, provided, that if the offence is a felony the general court shall have the power to prescribe the terms and conditions upon which a pardon may be granted, but no charter of pardon, granted by the governor, with advice of the council before conviction, shall avail the party pleading the same, notwithstanding any general or particular expressions contained therein, descriptive of the offence or offenses intended to be pardoned.

Art. LXXIV. SECTION 1. Article XLVIII of the amendments to the constitution is hereby amended by striking out section three, under the heading "THE INITIATIVE. *II. Initiative Petitions.*", and inserting in place thereof the following: —

SECTION 3. *Mode of Originating.* — Such petition shall first be signed by ten qualified voters of the commonwealth and shall be submitted to the attorney-general not later than the first Wednesday of the August before the assembling of the general court into which it is to be introduced, and if he shall certify that the measure and the title thereof are in proper form for submission to the people, and that the measure is not, either affirmatively or negatively, substantially the same as any measure which has been qualified for submission or submitted to the people at either of the two preceding biennial state elections, and that it contains only subjects not excluded from the popular initiative and which are related or which are mutually dependent, it may then be filed with the secretary of the commonwealth. The secretary of the commonwealth shall provide blanks for the use of subsequent signers, and shall print at the top of each blank a fair, concise summary, as determined by the attorney-general, of the proposed measure as such summary will appear on the ballot together with the names and residences of the first ten signers. All initiative petitions, with the first ten signatures attached, shall be filed with the secretary of the commonwealth not earlier than the first Wednesday of the September before the assembling of the general court into which they are to be introduced, and the remainder of the required signatures shall be filed not later than the first Wednesday of the following December.

SECTION 2. Section three of that part of said Article XLVIII, under the heading "THE REFERENDUM. *III. Referendum Petitions.*", is hereby amended by striking out the words "The secretary of the commonwealth shall provide blanks for the use of subsequent signers, and shall print at the top of each blank a description of the proposed law as such description will appear on the ballot together with the names and residences of the first ten signers.", and inserting in place thereof the words "The secretary of the commonwealth shall provide blanks for the use of subsequent signers, and shall print at the top of each blank a fair, concise summary of the proposed law as such summary will appear on the ballot together with the names and residences of the first ten signers."

SECTION 3. Section four of that part of said Article XLVIII, under the heading "THE REFERENDUM. *III. Referendum Petitions.*", is hereby amended by striking out the words "The secretary of the commonwealth shall provide blanks for the use of subsequent signers, and shall print at the top of each blank a description of the proposed law as such description will appear on the ballot together with the names and residences of the first ten signers.", and inserting in place thereof the words "The secretary of the commonwealth shall provide blanks for the use of subsequent signers, and shall print at the top of each blank a fair, concise summary of the proposed law as such summary will appear on the ballot together with the names and residences of the first ten signers."

SECTION 4. Said Article XLVIII is hereby further amended by striking out, under the heading "GENERAL PROVISIONS", all of subheading

"III. Form of Ballot." and all of subheading *"IV. Information for Voters."*, and inserting in place thereof the following: —

III. Form of Ballot.

A fair, concise summary, as determined by the attorney-general, subject to such provision as may be made by law, of each proposed amendment to the constitution, and each law submitted to the people, shall be printed on the ballot, and the secretary of the commonwealth shall give each question a number and cause such question, except as otherwise authorized herein, to be printed on the ballot in the following form: —

In the case of an amendment to the constitution: Do you approve of the adoption of an amendment to the constitution summarized below, (here state, in distinctive type, whether approved or disapproved by the general court, and by what vote thereon)?

YES.	
NO.	

(Set forth summary here)

In the case of a law: Do you approve of a law summarized below, (here state, in distinctive type, whether approved or disapproved by the general court, and by what vote thereon)?

YES.	
NO.	

(Set forth summary here)

[*IV. Information for Voters.*

The secretary of the commonwealth shall cause to be printed and sent to each registered voter in the commonwealth the full text of every measure to be submitted to the people, together with a copy of the legislative committee's majority and minority reports, if there be such, with the names of the majority and minority members thereon, a statement of the votes of the general court on the measure, and a fair, concise summary of the measure as such summary will appear on the ballot; and shall, in such manner as may be provided by law, cause to be prepared and sent to the voters other information and arguments for and against the measure. [See Amendments, Art. CVIII.]

Art. LXXV. Article LXXII of the amendments to the constitution providing for biennial sessions of the general court and a biennial budget is hereby annulled, and all provisions of this constitution and of the amendments thereto which were annulled or affected by said Article shall have the same force and effect as though said Article had not been adopted.

Art. LXXVI. Article XLV of the articles of amendment is hereby annulled and the following is adopted in place thereof: —

Article XLV. The general court shall have power to provide by law for voting, in the choice of any officer to be elected or upon any question submitted at an election, by qualified voters of the commonwealth who, at the time of such an election, are absent from the city or town of which they are inhabitants or are unable by reason of physical disability to cast their votes in person at the polling places. [Annulled and superseded by Amendments, Art. CV.]

Art. LXXVII. Article XVI of Part the First is hereby annulled and the following is adopted in place thereof: —

Article XVI. The liberty of the press is essential to the security of freedom in a state: it ought not, therefore, to be restrained in this commonwealth. The right of free speech shall not be abridged.

Art. LXXVIII. No revenue from fees, duties, excises or license taxes relating to registration, operation or use of vehicles on public highways, or to fuels used for propelling such vehicles, shall be expended for other than cost of administration of laws providing for such revenue, making of refunds and adjustments in relation thereto, payment of highway obligations, or cost of construction, reconstruction, maintenance and repair of public highways and bridges of the enforcement of state traffic laws; and such revenue shall be expended by the commonwealth or its counties, cities and towns for said highway purposes only and in such manner as the general court may direct; provided, that this amendment shall not apply to revenue from any excise tax imposed in lieu of local property taxes for the privilege of registering such vehicles. [Annulled and superseded by Amendments, Art. CIV.]

Art. LXXIX. Article XVII of the Amendments of the Constitution, as amended, is hereby further amended by striking out, in the third sentence, the words "two persons who had the highest number of votes for said offices on the day in November aforesaid" and inserting in place thereof the words: — people at large — so that said sentence will read as follows: — In case of a failure to elect either of said officers on the day in November aforesaid, or in case of the decease, in the meantime, of the person elected as such, such officer shall be chosen on or before the third Wednesday in January next thereafter, from the people at large, by joint ballot of the senators and representatives, in one room; and in case the office of secretary, or treasurer and receiver-general, or auditor, or attorney-general, shall become vacant, from any cause during an annual or special session of the general court, such vacancy shall in like manner be filled by choice from the people at large; but if such vacancy shall occur at any other time, it shall be supplied by the governor by appointment, with the advice and consent of the council.

Art. LXXX. [Article LXIV of the Amendments to the Constitution is hereby amended by striking out section 1 and inserting in place thereof the following section: —

Section 1. The governor, lieutenant-governor, councillors, secretary, treasurer and receiver-general, attorney-general, auditor, senators and representatives shall be elected biennially. The terms of the governor, lieutenant-governor and councillors shall begin at noon on the Thursday next following the first Wednesday in January succeeding their election and shall end at noon on the Thursday next following the first Wednesday in January in the third year following their election. If the governor elect shall have died before the qualification of the lieutenant-governor elect, the lieutenant-governor elect upon qualification shall become governor. If both the governor elect and the lieutenant-governor elect shall have died both said offices shall be deemed to be vacant and the provisions of Article LV of the Amendments to the Constitution shall apply. The terms of senators and representatives shall begin with the first Wednesday in January succeeding their election and shall extend to the first Wednesday in January in the third year following their election and until their successors are chosen and qualified. The terms of the secretary, treasurer and receiver-general, attorney-general and auditor, shall begin with the third Wednesday in January succeeding their election and shall extend to the third Wednesday in January in the third year following their election and until their successors are chosen and qualified.] [Annulled and superseded by Art. LXXXII.]

Art. LXXXI. SECTION 1. Article XLVIII of the Amendments to the Constitution is hereby amended by striking out section 2, under the heading "THE INITIATIVE. *IV. Legislative Action on Proposed Constitutional Amendments.*", and inserting in place thereof the following: —

Section 2. Joint Session. — If a proposal for a specific amendment of the constitution is introduced into the general court by initiative petition signed in the aggregate by not less than such number of voters as will equal three per cent of the entire vote cast for governor at the preceding biennial state election, or if in case of a proposal for amendment introduced into the general court by a member of either house, consideration thereof in joint session is called for by vote of either house, such proposal shall, not later than the second Wednesday in May, be laid before a joint session of the two houses, at which the president of the senate shall preside; and if the two houses fail to agree upon a time for holding any joint session hereby required, or fail to continue the same from time to time until final action has been taken upon all amendments pending, the governor shall call such joint session or continuance thereof.

SECTION 2. Section 1 of that part of said Article XLVIII, under the heading "THE INITIATIVE. *V. Legislative Action on Proposed Laws.*", is hereby amended by striking out said section and inserting in place thereof the following: —

Section 1. Legislative Procedure. — If an initiative petition for a law is introduced into the general court, signed in the aggregate by not less than such number of voters as will equal three per cent of the entire vote cast for governor at the preceding biennial state election, a vote shall be taken by yeas and nays in both houses before the first Wednesday of May upon the enactment of such law in the form in which it stands in such petition. If the general court fails to enact such law before the first Wednesday of May, and if such petition is completed by filing with the secretary of the commonwealth, not earlier than the first Wednesday of the following June nor later than the first Wednesday of the following July, a number of signatures of qualified voters equal in number to not less than one half of one per cent of the entire vote cast for governor at the preceding biennial state election, in addition to those signing such initiative petition, which signatures must have been obtained after the first Wednesday of May aforesaid, then the secretary of the commonwealth shall submit such proposed law to the people at the next state election. If it shall be approved by voters equal in number to at least thirty per cent of the total number of ballots cast at such state election and also by a majority of the voters voting on such law, it shall become law, and shall take effect in thirty days after such state election or at such time after such election as may be provided in such law.

SECTION 3. Section 2 of that part of said Article XLVIII, under the heading "THE INITIATIVE. *V. Legislative Action on Proposed Laws.*", is hereby amended by striking out said section and inserting in place thereof the following: —

SECTION 2. *Amendment by Petitioners.* — If the general court fails to pass a proposed law before the first Wednesday of May, a majority of the first ten signers of the initiative petition therefor shall have the right, subject to certification by the attorney-general filed as hereinafter provided, to amend the measure which is the subject of such petition. An amendment so made shall not invalidate any signature attached to the petition. If the measure so amended, signed by a majority of the first ten signers, is filed with the secretary of the commonwealth before the first Wednesday of the following June, together with a certificate signed by the attorney-general to the effect that the amendment made by such proposers is in his opinion perfecting in its nature and does not materially change the substance of the measure, and if such petition is completed by filing with the secretary of the commonwealth, not earlier than the first Wednesday of the following June nor later than the first Wednesday of the following July, a number of signatures of qualified voters equal in number to not less than one half of one per cent of the entire vote cast for governor at the preceding biennial state election in addition to those signing such initiative petition, which signatures must have been obtained after the first Wednesday of May aforesaid, then the secretary of the commonwealth shall submit the measure to the people in its amended form.

SECTION 4. Section 3 of that part of said Article XLVIII, under the heading "THE REFERENDUM. *III. Referendum Petitions.*", is hereby amended by striking out the sentence "If such petition is completed by filing with the secretary of the commonwealth not later than ninety days after the law which is the subject of the petition has become law the signatures of not less than fifteen thousand qualified voters of the commonwealth, then the operation of such law shall be suspended, and the secretary of the commonwealth shall submit such law to the people at the next state election, if thirty days intervene between the date when such petition is filed with the secretary of the commonwealth and the date for holding such state election; if thirty days do not so intervene, then such law shall be submitted to the people at the next following state election, unless in the meantime it shall have been repealed; and if it shall be approved by a majority of the qualified voters voting thereon, such law shall, subject to the provisions of the constitution, take effect in thirty days after such election, or at such time after such election as may be provided in such law; if not so approved such law shall be null and void; but no such law shall be held to be disapproved if the negative vote is less than thirty per cent of the total number of ballots cast at such state election." and inserting in place thereof the following sentence: — If such petition is completed by filing with the secretary of the commonwealth not later than ninety days after the law which is the subject of the petition has become law a number of signatures of qualified voters equal in number to not less than two per cent of the entire vote cast for governor at the preceding biennial state election, then the operation of such law shall be suspended, and the secretary of the commonwealth shall submit such law to the people at the next state election, if sixty days intervene between the date when such petition is filed with the secretary of the commonwealth and the date for holding such state election; if sixty days do not so intervene, then such law shall be submitted to the people at the next following state election, unless in the meantime it shall have been repealed; and if it shall be approved by a majority of the qualified voters voting thereon, such law shall, subject to the provisions of the constitution, take effect in thirty days after such election, or at such time after such election as may be provided in such law; if not so approved such law shall be null and void; but no such law shall be held to be disapproved if the negative vote is less than thirty per cent of the total number of ballots cast at such state election.

SECTION 5. Section 4 of that part of said Article XLVIII, under the heading "THE REFERENDUM. *III. Referendum Petitions.*", is hereby amended by striking out the words "If such petition filed as aforesaid is completed by filing with the secretary of the commonwealth not later than ninety days after the law which is the subject of the petition has become law the signatures of not less than ten thousand qualified voters of the commonwealth protesting against such law and asking for a referendum thereon, then the secretary of the commonwealth shall submit such law to the people at the next state election, if thirty days intervene between the date when such petition is filed with the secretary of the commonwealth and the date for holding such state election. If thirty days do not so intervene, then it shall be submitted to the people at the next following state election, unless in the meantime it shall have been repealed; and if it shall not be approved by a majority of the qualified voters voting thereon, it shall, at the expiration of thirty days after such election, be thereby repealed; but no such law shall be held to be disapproved if the negative vote is less than thirty per cent of the total number of ballots cast at such state election." and inserting in place thereof the following: — If such petition filed as aforesaid is completed by filing with the secretary of the commonwealth not later than ninety days after the law which is the subject of the petition has become law a number of signatures of qualified voters equal in number to not less than one and one half per cent of the entire vote cast for governor at the preceding biennial state election protesting against such law and asking for a referendum thereon, then the secretary of the commonwealth shall submit such law to the people at the next state election, if sixty days intervene between the date when such petition is filed with the secretary of the commonwealth and the date for holding such state election. If sixty days do not so intervene, then it shall be submitted to the people at the next following state election, unless in the meantime it shall have been repealed; and if it shall not be approved by a majority of the qualified voters voting thereon, it shall, at the expiration of thirty days after such election, be thereby repealed; but no such law shall be held to be disapproved if the negative vote is less than thirty per cent of the total number of ballots cast at such state election.

Art. LXXXII. Article LXIV of the Amendments to the Constitution, as amended by Article LXXX of said Amendments, is hereby annulled, and the following is adopted in place thereof: —

Article LXIV. Section 1. The governor, lieutenant-governor, secretary, treasurer and receiver-general, attorney-general, and auditor shall be elected quadrennially and councillors, senators and representatives shall be elected biennially. The terms of the governor and lieutenant-governor shall begin at noon on the Thursday next following the first Wednesday in January succeeding their election and shall end at noon on the Thursday next following the first Wednesday in January in the fifth year following their election. If the governor elect shall have died before the qualification of the lieutenant-governor elect, the lieutenant-governor elect upon qualification shall become governor. If both the governor elect and the lieutenant-governor elect shall have died both said offices shall be deemed to be vacant and the provisions of Article LV of the Amendments to the Constitution shall apply. The terms of the secretary, treasurer and receiver-general, attorney-general, and auditor shall begin with the third Wednesday in January succeeding their election and shall extend to the third Wednesday in January in the fifth year following their election and until their successors are chosen and qualified. The terms of the councillors shall begin at noon on the Thursday next following the first Wednesday in January succeeding their election and shall end at noon on the Thursday next following the first Wednesday in January in the third year following their election. The terms of senators and representatives shall begin with the first Wednesday in January succeeding their election and shall extend to the first Wednesday in January in the third year following their election and until their successors are chosen and qualified.

Section 2. The general court shall assemble every year on the first Wednesday in January.

Section 3. The first election to which this article shall apply shall be held on the Tuesday next after the first Monday in November in the year nineteen hundred and sixty-six, and thereafter elections for the choice of a governor, lieutenant-governor, secretary, treasurer and receiver-general, attorney-general, and auditor shall be held quadrennially on the Tuesday next after the first Monday in November and elections for the choice of councillors, senators and representatives shall be held biennially on the Tuesday next after the first Monday in November.

Art. LXXXIII. The general court shall have full power and authority to provide for prompt and temporary succession to the powers and duties of public offices, of whatever nature and whether filled by election or appointment, the incumbents of which may become unavailable for carrying on the powers and duties of such offices in periods of emergency resulting from disaster caused by enemy attack, and to adopt such other measures as may be necessary and proper for insuring continuity of the government of the commonwealth and the governments of its political subdivisions.

Art. LXXXIV. Article LXII of the Amendments to the Constitution is hereby amended by striking out section 1 and inserting in place thereof the following section: — Section 1. The commonwealth may give, loan or pledge its credit only by a vote, taken by the yeas and nays, of two-thirds of each house of the general court present and voting thereon. The credit of the commonwealth shall not in any manner be given or loaned to or in aid of any individual, or of any private association, or of any corporation which is privately owned and managed.

Art. LXXXV. Article II of Chapter III of the Constitution of the commonwealth is hereby annulled and the following is adopted in place thereof: —

Article II. Each branch of the legislature, as well as the governor or the council, shall have authority to require the opinions of the justices of the supreme judicial court, upon important questions of law, and upon solemn occasions.

Art. LXXXVI. Names of candidates of political parties for the offices of governor and lieutenant-governor shall be grouped on the official ballot for use at state elections according to the parties they represent, and the voter may cast a single vote for any such group, which shall count as a vote for each candidate in such group, but may not cast a vote for only one of the candidates in such group.

Art. LXXXVII. SECTION 1. For the purpose of transferring, abolishing, consolidating or coordinating the whole or any part of any agency, or the functions thereof, within the executive department of the government of the commonwealth, or for the purpose of authorizing any officer of any agency within the executive department of the government of the commonwealth to delegate any of his functions, the governor may prepare one or more reorganization plans, each bearing an identifying number and may present such plan or plans to the general court, together with a message in explanation thereof.

SECTION 2. (a) Every such reorganization plan shall be referred to an appropriate committee, to be determined by the Clerks of the Senate and House of Representatives, with the approval of the President and Speaker, which committee shall not later than thirty days after the date of the Governor's presentation of said plan hold a public hearing thereon and shall not later than ten days after such hearing report that it approves or disapproves such plan and such reorganization plan shall have the force of law upon expiration of the sixty calendar days next following its presentation by the governor to the general court, unless disapproved by a majority vote of the members of either of the two branches of the general court present and voting, the general court not having been prorogued within such sixty days.

(b) After its presentation by the governor to the general court, no such reorganization plan shall be subject to amendment by the general court before expiration of such sixty days.

(c) Any such reorganization plan may provide for its taking effect on any date after expiration of such sixty days and every such reorganization plan shall comply with such conditions as the general court may from time to time prescribe by statute regarding the civil service status, seniority, retirement and other rights of any employee to be affected by such plan.

SECTION 3. Article LXVI of the Amendments to the Constitution is hereby annulled.

Art. LXXXVIII. The industrial development of cities and towns is a public function and the commonwealth and the cities and towns therein may provide for the same in such manner as the general court may determine.

Art. LXXXIX. Article II of the Articles of Amendment to the Constitution of the Commonwealth, as amended by Article LXX of said Articles of Amendment, is hereby annulled and the following is adopted in place thereof: —

Article II. Section 1. Right of Local Self-Government. — It is the intention of this article to reaffirm the customary and traditional liberties of the people with respect to the conduct of their local government, and to grant and confirm to the people of every city and town the right of self-government in local matters, subject to the provisions of this article and to such standards and requirements as the general court may establish by law in accordance with the provisions of this article.

Section 2. Local Power to Adopt, Revise or Amend Charters. — Any city or town shall have the power to adopt or revise a charter or to amend its existing charter through the procedures set forth in sections three and four. The provisions of any adopted or revised charter or any charter amendments shall not be inconsistent with the constitution or any laws enacted by the general court in conformity with the powers reserved to the general court by section eight.

No town of fewer than twelve thousand inhabitants shall adopt a city form of government, and no town of fewer than six thousand inhabitants shall adopt a form of government providing for a town meeting limited to such inhabitants of the town as may be elected to meet, deliberate, act and vote in the exercise of the corporate powers of the town.

Section 3. Procedure for Adoption or Revision of a Charter by a City or Town. — Every city and town shall have the power to adopt or revise a charter in the following manner: A petition for the adoption or revision of a charter shall be signed by at least fifteen per cent of the number of legal voters residing in such city or town at the preceding state election. Whenever such a petition is filed with the board of registrars of voters of any city or town, the board shall within ten days of its receipt determine the sufficiency and validity of the signatures and certify the results to the city council of the city or board of selectmen of the town, as the case may be. As used in this section, the phrase "board of registrars of voters" shall include any local authority of different designation which performs the duties of such registrars, and the phrase "city council of the city or board of selectmen of the town" shall include local authorities of different designation performing the duties of such council or board.

Objections to the sufficiency and validity of the signatures on any such petition as certified by the board of registrars of voters shall be made in the same manner as provided by law for objections to nominations for city or town offices, as the case may be.

Within thirty days of receipt of certification of the board of registrars of voters that a petition contains sufficient valid signatures, the city council of the city or board of selectmen of the town shall by order provide for submitting to the voters of the city or town the question of adopting or revising a charter, and for the nomination and election of a charter commission.

If the city or town has not previously adopted a charter pursuant to this section, the question submitted to the voters shall be: "Shall a commission be elected to frame a charter for (name of city or town)?" If the city or town has previously adopted a charter pursuant to this section, the question submitted to the voters shall be: "Shall a commission be elected to revise the charter of (name of city or town)?"

The charter commission shall consist of nine voters of the city or town, who shall be elected at large without party or political designation at the city or town election next held at least sixty days after the order of the city council of the city or board of selectmen of the town. The names of candidates for such commission shall be listed alphabetically on the ballot used at such election. Each voter may vote for nine candidates.

The vote on the question submitted and the election of the charter commission shall take place at the same time. If the vote on the question submitted is in the affirmative, the nine candidates receiving the highest number of votes shall be declared elected.

Within [ten months] after the election of the members of the charter commission, said commission shall submit the charter or revised charter to the city council of the city or the board of selectmen of the town, and such council or board shall provide for publication of the charter and for its submission to the voters of the city or town at the next city or town election held at least two months after such submission by the charter commission. If the charter or revised charter is approved by a majority of the voters of the city or town voting thereon, it shall become effective upon the date fixed in the charter. [See Amendments, Art. CXIII.]

Section 4. Procedure for Amendment of a Charter by a City or Town. — Every city and town shall have the power to amend its charter in the following manner: The legislative body of a city or town may, by a two-thirds vote, propose amendments to the charter of the city or town; provided, that (1) amendments of a city charter may be proposed only with the concurrence of the mayor in every city that has a mayor, and (2) any change in a charter relating in any way to the composition, mode of election or appointment, or terms of office of the legislative body, the mayor or city manager or the board of selectmen or town manager shall be made only by the procedure of charter revision set forth in section three.

All proposed charter amendments shall be published and submitted for approval in the same manner as provided for adoption or revision of a charter.

Section 5. Recording of Charters and Charter Amendments. — Duplicate certificates shall be prepared setting forth any charter that has been adopted or revised and any charter amendments approved, and shall be signed by the city or town clerk. One such certificate shall be deposited in the office of the secretary of the commonwealth and the other shall be recorded in the records of the city or town and deposited among its archives. All courts may take judicial notice of charters and charter amendments of cities and towns.

Section 6. Governmental Powers of Cities and Towns. — Any city or town may, by the adoption, amendment, or repeal of local ordinances or by-laws, exercise any power or function which the general court has power to confer upon it, which is not inconsistent with the constitution or laws enacted by the general court in conformity with powers reserved to the general court by section eight, and which is not denied, either expressly or by clear implication, to the city or town by its charter. This section shall apply to every city and town, whether or not it has adopted a charter pursuant to section three.

Section 7. Limitations on Local Powers. — Nothing in this article shall be deemed to grant to any city or town the power to (1) regulate elections other than those prescribed by sections three and four; (2) to levy, assess and collect taxes; (3) to borrow money or pledge the credit of the city or town; (4) to dispose of park land; (5) to enact private or civil law governing civil relationships except as an incident to an exercise of an independent municipal power; or (6) to define and provide for the punishment of a felony or to impose imprisonment as a punishment for any violation of law; provided, however, that the foregoing enumerated powers may be granted by the general court in conformity with the constitution and with the powers reserved to the general court by section eight; nor shall the provisions of this article be deemed to diminish the powers of the judicial department of the commonwealth.

Section 8. Powers of the General Court. — The general court shall have the power to act in relation to cities and towns, but only by the general laws which apply alike to all cities, or to all cities and towns, or to a class of not fewer than two, and by special laws enacted (1) on petition filed or approved by the voters of a city or town, or the mayor and city council, or other legislative body, of a city, or the town meeting of a town, with respect to a law relating to that city or town; (2) by a two-thirds vote of each branch of the general court following a recommendation by the governor; (3) to erect and constitute metropolitan or regional entities, embracing any two or more cities or towns or cities and towns, or established with other than existing city or town boundaries, for any general or special public purpose or purposes, and to grant to these entities such powers, privileges and immunities as the general court shall deem necessary or expedient for the regulation and government thereof; or (4) solely for the incorporation or dissolution of cities or towns as corporate entities, alteration of city or town boundaries, and merger or consolidation of cities and towns, or any of these matters.

Subject to the foregoing requirements, the general court may provide optional plans of city or town organization and government under which an optional plan may be adopted or abandoned by majority vote of the voters of the city or town voting thereon at a city or town election; provided, that no town of fewer than twelve thousand inhabitants may be authorized to adopt a city form of government, and no town of fewer than six thousand inhabitants may be authorized to adopt a form of town government providing for a town meeting limited to such inhabitants of the town as may be elected to meet, deliberate, act and vote in the exercise of the corporate powers of the town.

This section shall apply to every city and town whether or not it has adopted a charter pursuant to section three.

Section 9. Existing Special Laws. — All special laws relating to individual cities or towns shall remain in effect and have the force of an existing city or town charter, but shall be subject to amendment or repeal through the adoption, revision or amendment of a charter by a city or town in accordance with the provisions of sections three and four and shall be subject to amendment or repeal by laws enacted by the general court in conformity with the powers reserved to the general court by section eight.

Art. XC. SECTION 1. Article II of section I of Chapter I of Part the Second of the Constitution is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph: —

And in order to prevent unnecessary delays, if any bill or resolve shall not be returned by the governor within ten days after it shall have been presented, the same shall have the force of a law.

Section 2. Article I of the Articles of Amendment to the Constitution is hereby annulled and the following is adopted in place thereof: —

Article I. If any bill or resolve shall be objected to, and not approved by the governor, and if the general court shall adjourn within ten days after the same shall have been laid before the governor for his approbation, and thereby prevent his returning it with his objections, as provided by the constitution, such bill or resolve shall not become a law, nor have force as such.

Section 3. Article LVI of the Articles of Amendment to the Constitution is hereby annulled and the following is adopted in place thereof: —

Article LVI. The governor, within ten days after any bill or resolve shall have been laid before him, shall have the right to return it to the branch of the general court in which it originated with a recommendation that any amendment or amendments specified by him be made therein. Such bill or resolve shall thereupon be before the general court and subject to amendment and re-enactment. If such bill or resolve is re-enacted in any form it shall again be laid before the governor for his action, but he shall have no right to return the same a second time with a recommendation to amend.

Section 4. Article LXIII of the Articles of Amendment to the Constitution is hereby amended by striking out Section 5 and inserting in place thereof the following section: —

Section 5. Submission to the Governor. — The governor may disapprove or reduce items or parts of items in any bill appropriating money. So much of such bill as he approves shall upon his signing the same become law. As to each item disapproved or reduced, he shall transmit to the house in which the bill originated his reason for such disapproval or reduction, and the procedure shall then be the same as in the case of a bill disapproved as a whole. In case he shall fail so to transmit his reasons for such disapproval or reduction within ten days after the bill shall have been presented to him, such items shall have the force of law unless the general court by adjournment shall prevent such transmission, in which case they shall not be law.

Art. XCI. Whenever the governor transmits to the president of the senate and the speaker of the house his written declaration that he is unable to discharge the powers and duties of his office, the office of governor shall be deemed to be vacant within the meaning of this Constitution.

Whenever the chief justice and a majority of the associate justices of the supreme judicial court, or such other body as the general court may by law provide, transmit to the president of the senate and the speaker of the house their written declaration that the governor is unable to discharge the powers and duties of his office, the office of governor shall be deemed to be vacant within the meaning of this Constitution.

Thereafter, in either of the above cases, whenever the governor transmits to the president of the senate and the speaker of the house his written declaration that no inability exists such vacancy shall be deemed to have terminated four days thereafter and the governor shall resume the powers and duties of his office unless the chief justice and a majority of the associate justices of the supreme judicial court, or such other body as the general court may by law provide, transmit within said four days to the president of the senate and the speaker of the house their written declaration that the governor is unable to discharge the powers and duties of his office. Thereupon the general court shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the general court within twenty-one days after receipt of the latter written declaration, or, if the general court is not in session, within twenty-one days after the general court is required to assemble, determine by a vote, taken by yeas and nays, of two-thirds of each house present and voting thereon, that the governor is unable to discharge the powers and duties of his office, the office of governor shall continue to be deemed to be vacant; otherwise such vacancy shall be deemed to have terminated and the governor shall resume the powers and duties of his office.

The above provisions shall be applicable to the lieutenant-governor when the lieutenant-governor in case of a vacancy is performing all the duties incumbent upon the governor as provided in this Constitution.

If a vacancy in the office of governor, as described in this Article, continues for six months and if such six-month period expires more than five months prior to a biennial state election other than an election for governor, there shall be an election of governor at such biennial state election for the balance of the unexpired four-year term.

Art. XCII. [SECTION 1. In the year nineteen hundred and seventy-one and every tenth year thereafter a census of the inhabitants of each city and town shall be taken. Said census shall specify the number of inhabitants residing in each precinct of each town and in each precinct and ward of each city. Said census shall be the basis for determining the representative districts for the ten year period beginning with the first Wednesday in the fourth January following the taking of said census; provided that such districts as established in the year nineteen hundred and sixty-eight shall continue until the first Wednesday in January in the year nineteen hundred and seventy-five.

The house of representatives shall consist of two hundred and forty members. The general court shall, at its first regular session after the year in which said census was taken, divide the commonwealth into two hundred and forty representative districts of contiguous territory so that each representative will represent an equal number of inhabitants, as nearly as may be; and such districts shall be formed as nearly as may be, without uniting two counties or parts of two or more counties, two towns or parts of two or more towns, two cities or parts of two or more cities, or a city and a town, or parts of cities and towns, into one district; provided, however, that the county of Dukes county and Nantucket county shall each be a representative district. Such districts shall also be so formed that no town containing less than six thousand inhabitants according to said census shall be divided. The general court may by law limit the time within which judicial proceedings may be instituted calling in question any such division. Every representative, for one year at least immediately preceding his election, shall have been an inhabitant of the district for which he is chosen, and shall cease to represent such district when he shall cease to be an inhabitant of the commonwealth. The manner of calling and conducting the elections for the choice of representatives, and of ascertaining their election, shall be prescribed by law.

SECTION 2. Each census of inhabitants required in section one shall likewise be the basis for determining the senatorial districts and also the councillor districts for the ten year period beginning with the first Wednesday in the fourth January following the taking of such census; provided that such districts as established prior to the year nineteen hundred and seventy-one shall continue until the first Wednesday in January in the year nineteen hundred and seventy-five. The senate shall consist of forty members. The general court shall, at its first regular session after the year in which said census is taken, divide the commonwealth into forty districts of contiguous territory, each district to contain, as nearly as may be an equal number of inhabitants according to said census; and such districts shall be formed, as nearly as may be, without uniting two counties, or parts of two or more counties, into one district. The general court may by law limit the time within which judicial proceedings may be instituted calling in question such division. Each district shall elect one senator, who shall have been an inhabitant of this commonwealth five years at least immediately preceding his election, and at the time of his election, shall be an inhabitant of the district for which he is chosen; and he shall cease to represent such senatorial district when he shall cease to be an inhabitant of the commonwealth.

SECTION 3. Articles XXI and XXII of the Amendments to the Constitution, as appearing in Article LXXI of said Amendments, are hereby annulled.] [Annulled and superseded by Amendments, Art. CI.]

Art. XCIII. Article III of the Amendments to the Constitution, as amended, is hereby further amended by striking out the words "within the commonwealth one year, and".

Art. XCIV. Article III of the Amendments to the Constitution, as amended, is hereby further amended by striking out the words "twenty-one" and inserting in place thereof the word: — nineteen.

Art. XCV. Article III of the Amendments to the Constitution, as amended, is hereby further amended by striking out the words "pauper and".

Art. XCVI. The general court shall have power to authorize the commonwealth to make loans, on such terms as it may deem reasonable, to any residents of the commonwealth for tuition and board at any college, university or other institution of higher learning.

Art. XCVII. Article XLIX of the Amendments to the Constitution is hereby annulled and the following is adopted in place thereof: — The people shall have the right to clean air and water, freedom from excessive and unnecessary noise, and the natural, scenic, historic, and esthetic qualities of their environment; and the protection of the people in their right to the conservation, development and utilization of the agricultural, mineral, forest, water, air and other natural resources is hereby declared to be a public purpose.

The general court shall have the power to enact legislation necessary or expedient to protect such rights.

In the furtherance of the foregoing powers, the general court shall have the power to provide for the taking, upon payment of just compensation therefor, or for the acquisition by purchase or otherwise, of lands and easements or such other interests therein as may be deemed necessary to accomplish these purposes.

Lands and easements taken or acquired for such purposes shall not be used for other purposes or otherwise disposed of except by laws enacted by a two-thirds vote, taken by yeas and nays, of each branch of the general court.

Art. XCVIII. Article I of Chapter III of Part the Second of the Constitution, as amended by Article LVIII of the Amendments to the

Constitution, is hereby annulled and the following Article is adopted in place thereof: —

Article I. The tenure, that all commissioned officers shall by law have in their offices, shall be expressed in their respective commissions. All judicial officers, duly appointed, commissioned and sworn, shall hold their offices during good behavior, excepting such concerning whom there is different provision made in this Constitution; provided, nevertheless, the governor, with the consent of the council, may remove them upon the address of both houses of the legislature; and provided, also, that the governor, with the consent of the council, may after due notice and hearing retire them because of advanced age or mental or physical disability; and provided further, that upon attaining seventy years of age said judges shall be retired. Such retirement shall be subject to any provisions made by law as to pensions or allowances payable to such officers upon their voluntary retirement.

Art. XCIX. Full power and authority is hereby given and granted to the general court to prescribe, for the purpose of developing and conserving agricultural or horticultural lands, that such lands shall be valued, for the purpose of taxation, according to their agricultural or horticultural uses; provided, however, that no parcel of land which is less than five acres in area or which has not been actively devoted to agricultural or horticultural uses for the two years preceding the tax year shall be valued at less than fair market value under this article.

Art. C. Article III of the Amendments to the Constitution, as amended, is hereby further amended by striking out the word indicating the age at which a citizen shall have a right to vote in an election of Governor and other public officers and inserting in place thereof the following word: — eighteen.

Art. CI. [In the year nineteen hundred and seventy-five and every tenth year thereafter a census of the inhabitants of each city and town shall be taken. Said census shall specify the number of inhabitants residing in each precinct of each town and in each precinct and ward of each city. Said census shall be the basis for determining the representative districts for the ten year period beginning with the first Wednesday in the fourth January following the taking of said census; provided that such districts as established based on the census in the year nineteen hundred and seventy-one shall terminate on the first Wednesday in January in the year nineteen hundred and seventy-nine.] [See Amendments, Arts. CIX, CXVII and CXIX.]

The House of Representatives shall consist of one hundred and sixty members. The General Court shall, at its first regular session after the year in which said census was taken, divide the Commonwealth into one hundred and sixty representative districts of contiguous territory so that each representative will represent an equal number of inhabitants, as nearly as may be; and such district shall be formed, as nearly as may be, without uniting two counties or parts of two or more counties, two towns or parts of two or more towns, two cities or parts of two or more cities, or a city and a town, or parts of cities and towns, into one district. Such districts shall also be so formed that no town containing less than twenty-five hundred inhabitants according to said census shall be divided. The General Court may by law limit the time within which judicial proceedings may be instituted calling in question any such division. Every representative, for one year at least immediately preceding his election, shall have been an inhabitant of the district for which he is chosen and shall cease to represent such district when he shall cease to be an inhabitant of the Commonwealth. The manner of calling and conducting the elections for the choice of representatives, and of ascertaining their election, shall be prescribed by law.

SECTION 2. [Each such census of inhabitants required in section one shall likewise be the basis for determining the senatorial districts and also the councillor districts for the ten year period beginning with the first Wednesday in the fourth January following the taking of such census; provided that such districts as established based on the census in the year nineteen hundred and seventy-one shall terminate on the first Wednesday in January in the year nineteen hundred and seventy-nine.] The Senate shall consist of forty members. The General Court shall, at its first regular session after the year in which said census is taken, divide the Commonwealth into forty districts of contiguous territory, each district to contain, as nearly as may be, an equal number of inhabitants according to said census; and such districts shall be formed, as nearly as may be, without uniting two counties, or parts of two or more counties, into one district. The General Court may by law limit the time within which judicial proceedings may be instituted calling in question such division. Each district shall elect one senator, who shall have been an inhabitant of this Commonwealth five years at least immediately preceding his election and at the time of his election shall be an inhabitant of the district for which he is chosen; and he shall cease to represent such senatorial district when he shall cease to be an inhabitant of the Commonwealth. The manner of calling and conducting the elections for the choice of senators and councillors, and of ascertaining their election, shall be prescribed by law. [Amended by Amendments, Art. CXVII, sect. 2 and Art. CXIX, sect. 2.]

SECTION 3. Original jurisdiction is hereby vested in the supreme judicial court upon the petition of any voter of the Commonwealth, filed with the clerk of the supreme judicial court for the Commonwealth, for judicial relief relative to the establishment of House of Representatives, councillor and senatorial districts.

SECTION 4. Article XCII of the Amendments to the Constitution is hereby annulled.

Art. CII. Article LII of the Articles of Amendment to the Constitution is hereby annulled and the following is adopted in place thereof: —

Article LII. The General Court, by concurrent vote of the two houses, may take a recess or recesses amounting to not more than thirty days.

Art. CIII. Article XLVI of the Articles of Amendment to the Constitution of the Commonwealth is hereby amended by striking out section 2 and inserting in place thereof the following section: —

Section 2. No grant, appropriation or use of public money or property or loan of credit shall be made or authorized by the Commonwealth or any political subdivision thereof for the purpose of founding, maintaining or aiding any infirmary, hospital, institution, primary or secondary school, or charitable or religious undertaking which is not publicly owned and under the exclusive control, order and supervision of public officers or public agents authorized by the Commonwealth or federal authority or both, except that appropriations may be made for the maintenance and support of the Soldiers' Home in Massachusetts and for free public libraries, in any city or town and to carry out legal obligations, if any, already entered into; and no such grant, appropriation or use of public money or property or loan of public credit shall be made or authorized for the purpose of founding, maintaining or aiding any church, religious denomination or society. Nothing herein contained shall be construed to prevent the Commonwealth from making grants-in-aid to private higher educational institutions or to students or parents or guardians of students attending such institutions.

Article CIV. Article LXXVIII of the Amendments to the Constitution is hereby annulled and the following is adopted in place thereof: —

Article LXXVIII. No revenue from fees, duties, excises or license taxes relating to registration, operation or use of vehicles on public highways, or to fuels used for propelling such vehicles, shall be expended for other than cost of administration of laws providing for such revenue, making of refunds and adjustments in relation thereto, payment of highway obligations, or cost of construction, reconstruction, maintenance and repair of public highways and bridges, and mass transportation lines and of the enforcement of state traffic laws, and for other mass transportation purposes; and such revenue shall be expended by the commonwealth or its counties, cities and towns for said highway and mass transportation purposes only and in such manner as the general court may direct; provided, that this amendment shall not apply to revenue from any excise tax imposed in lieu of local property taxes for the privilege of registering such vehicles.

Art. CV. Article XLV of the articles of amendment to the constitution, as amended by Article LXXVI of said articles of amendment, is hereby annulled and the following is adopted in place thereof: —

Article XLV. The general court shall have power to provide by law for voting, in the choice of any officer to be elected or upon any question submitted at an election, by qualified voters of the commonwealth who, at the time of such an election, are absent from the city or town of which they are inhabitants or are unable by reasons of physical disability to cast their votes in person at the polling places or who hold religious beliefs in conflict with the act of voting on the day on which such an election is to be held.

Art. CVI. Article I of Part the First of the Constitution is hereby annulled and the following is adopted: —

All people are born free and equal and have certain natural, essential and unalienable rights; among which may be reckoned the right of enjoying and defending their lives and liberties; that of acquiring, possessing and protecting property; in fine, that of seeking and obtaining their safety and happiness. Equality under the law shall not be denied or abridged because of sex, race, color, creed or national origin.

Art. CVII. Section 2 of Article LXIII of the Articles of Amendment to the Constitution of the Commonwealth is hereby annulled and the following is adopted in place thereof: —

Section 2. The Budget. — Within three weeks after the convening of the general court the governor shall recommend to the general court a budget which shall contain a statement of all proposed expenditures of the commonwealth for the fiscal year, including those already authorized by law, and of all taxes, revenues, loans and other means by which such expenditures shall be defrayed. In the first year of the term of office of a governor who has not served in the preceding year said governor shall recommend such budget within eight weeks after the convening of the general court. The budget shall be arranged in such form as the general court may by law prescribe, or, in default thereof, as the governor shall determine. For the purpose of preparing his budget, the governor shall have power to require any board, commission, officer or department to furnish him with any information which he may deem necessary.

Art. CVIII. Article XLVIII of the Amendments to the Constitution of the Commonwealth is hereby amended by striking out, under the heading "GENERAL PROVISIONS," all of subheading "*IV. Information for Voters.*", as amended by section 4 of Article LXXIV of said Amendments, and inserting in place thereof the following subheading:

IV. Information for Voters.

The secretary of the commonwealth shall cause to be printed and sent to each person eligible to vote in the commonwealth or to each residence of one or more persons eligible to vote in the commonwealth the full text of every measure to be submitted to the people, together with a copy of the legislative committee's majority and minority reports, if there be such, with the names of the majority and minority members thereon, a statement of the votes of the general court on the measure, and a fair, concise summary of the measure as such summary will appear on the ballot; and shall, in such manner as may be provided by law, cause to be prepared and sent other information and arguments for and against the measure.

Art. CIX. The first paragraph of Section 1 of Article CI of the Amendments to the Constitution of the Commonwealth is hereby amended by striking out the second sentence and inserting in place thereof the following two sentences: —

For purposes of said census every person shall be considered an inhabitant of the city or town of his usual place of residence in accordance with standards used by the United States from time to time in conducting the federal census required by Section 2 of Article I of the Constitution of the United States subject to such exceptions as the general court may provide by law. Such census shall specify the number of inhabitants of each precinct of each town and of each precinct and ward of each city. [Amended by Art. CXVII.]

Art. CX. Article XLI of the Amendments to the Constitution is hereby annulled and the following Article is adopted in place thereof: —

Full power and authority are hereby given and granted to the general court to prescribe for wild or forest lands and lands retained in a natural state for the preservation of wildlife and other natural resources and lands for recreational uses, such methods of taxation as will develop and conserve the forest resources, wildlife and other natural resources and the environmental benefits of recreational lands within the commonwealth.

Art. CXI. No student shall be assigned to or denied admittance to a public school on the basis of race, color, national origin or creed.

Art. CXII. Article IV of Chapter 1 of Part the Second of the Constitution is hereby amended by inserting after the words "and to impose and levy proportional and reasonable assessment, rates and taxes, upon all the inhabitants of, and persons resident, and estates lying, within said Commonwealth" the words: — , except that, in addition to the powers conferred under Articles XLI and XCIX of the Amendments, the general court may classify real property according to its use in no more than four classes and to assess, rate and tax such property differently in the classes so established, but proportionately in the same class, and except that reasonable exemptions may be granted.

Art. CXIII. The first sentence of the sixth paragraph of Section 3 of Article II of the Amendments to the Constitution of the Commonwealth, as appearing in Article LXXXIX of said Amendments, is hereby amended by striking out the words "ten months" and inserting in place thereof the words: — eighteen months.

Art. CXIV. No otherwise qualified handicapped individual shall, solely by reason of his handicap, be excluded from the participation in, denied the benefits of, or be subject to discrimination under any program or activity within the commonwealth.

Art. CXV. No law imposing additional costs upon two or more cities or towns by the regulation of the compensation, hours, status, conditions or benefits of municipal employment shall be effective in any city or town until such law is accepted by vote or by the appropriation of money for such purposes, in the case of a city, by the city council in accordance with its charter, and in the case of a town, by a town meeting or town council, unless such law has been enacted by a two-thirds vote of each house of the general court present and voting thereon, or unless the general court, at the same session in which such law is enacted, has provided for the assumption by the commonwealth of such additional cost.

Art. CXVI. Article XXVI of part 1 of the Constitution of the Commonwealth is hereby amended by adding the following two sentences: — No provision of the Constitution, however, shall be construed as prohibiting the imposition of the punishment of death. The general court may, for the purpose of protecting the general welfare of the citizens, authorize the imposition of the punishment of death by the courts of law having jurisdiction of crimes subject to the punishment of death.

Art. CXVII. Section 1. Section 1 of Article CI of the Articles of Amendment to the Constitution is hereby amended by striking out the first paragraph, as amended by Article CIX of said Articles of Amendment, and inserting in place thereof the following paragraph: —

The federal census shall be the basis for determining the representative districts for the ten year period beginning with the first Wednesday in the [fifth] January following the taking of said census. [Amended by Amendments, Art. CXIX, sect. 1.]

Section 2. Section 2 of said Article CI of said Articles of Amendment is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — Said federal census shall likewise be the basis for determining the senatorial districts and also the councillor districts for the ten year period beginning with the first Wednesday in the [fifth] January following the taking of such census. [Amended by Amendments, Art. CXIX, sect. 2.]

Art. CXVIII. The base compensation as of January first, nineteen hundred and ninety-six, of members of the general court shall not be changed except as provided in this article. As of the first Wednesday in January of the year two thousand and one and every second year thereafter, such base compensation shall be increased or decreased at the same rate as increases or decreases in the median household income for the commonwealth for the preceding two year period, as ascertained by the governor.

Art. CXIX. Section 1. Section 1 of Article CI of the Articles of Amendment to the Constitution is hereby amended by striking out the first paragraph, as appearing in section 1 of CXVII of said Articles of Amendment, and inserting in place thereof the following paragraph:--

The federal census shall be the basis for determining the representative districts for the ten year period beginning with the first Wednesday in the third January following the taking of said census.

SECTION 2. Section 2 of said Article CI is hereby amended by striking out the first sentence, as appearing in section 2 of said Article CXVII, and inserting in place thereof the following sentence:— Said federal census shall likewise be the basis for determining the senatorial districts and also the councillor districts for the ten year period beginning with the first Wednesday in the third January following the taking of said census.

Art. CXX. Article III of the Amendments to the Constitution, as amended, is hereby further amended by inserting after the word "upwards" the following words:— , excepting persons who are incarcerated in a correctional facility due to a felony conviction, and.

[Note. — Soon after the Declaration of Independence, steps were taken in Massachusetts toward framing a Constitution or Form of Government. The Council and House of Representatives, or the General Court of 1777-78, in accordance with a recommendation of the General Court, of the previous year, met together as a Convention, and adopted a form of Constitution "for the State of Massachusetts Bay." which was submitted to the people, and by them rejected. This attempt to form a Constitution having proved unsuccessful, the General Court on the 20th of February, 1779, passed a Resolve calling upon the qualified voters to give in their votes upon the questions — Whether they chose to have a new Constitution or Form of Government made, and, Whether they will empower their representatives to vote for calling a State Convention for that purpose. A large majority of the inhabitants having voted in the affirmative to both these questions, the General Court, on the 17th of June, 1779, passed a Resolve calling upon the inhabitants to meet and choose delegates to a Constitutional Convention, to be held at Cambridge, on the 1st of September, 1779. The Convention met at time and place appointed, and organized by choosing James Bowdoin, President, and Samuel Barrett, Secretary. On the 11th of November the Convention adjourned, to meet at the Representatives' Chamber, in Boston, January 5th, 1780. On the 2d of March, of the same year, a form of Constitution having been agreed upon, a Resolve was passed by which the same was submitted to the people, and the Convention adjourned to meet at the Brattle Street Church, in Boston, June the 7th. At that time and place the Convention again met, and appointed a Committee to examine the returns of votes from the several towns. On the 14th of June the Committee reported, and on the 15th the Convention resolved, "That the people of the State of Massachusetts Bay have accepted the Constitution as it stands, in the printed form submitted to their revision." A Resolve providing for carrying the new Constitution into effect was passed; and the Convention then, on the 16th of June, 1780, was finally dissolved. In accordance with the Resolves referred to, elections immediately took place in the several towns; and the first General Court of the COMMONWEALTH OF MASSACHUSETTS met at the State House, in Boston, on Wednesday, October 25th, 1780.

The Constitution contained a provision providing for taking, in 1795, the sense of the people as to the expediency or necessity of revising the original instrument. But no such revision was deemed necessary at that time. On the 16th of June, 1820, an Act was passed by the General Court, calling upon the people to meet in their several towns, and give in their votes upon the question, "Is it expedient that delegates should be chosen to meet in Convention for the purpose of revising or altering the Constitution of Government of this Commonwealth?" A large majority of the people of the State having voted in favor of revision, the Governor issued a proclamation announcing the fact, and calling upon the people to vote, in accordance with the provisions of the aforesaid Act, for delegates to the proposed Convention. The delegates met at the State House, in Boston, November 15th, 1820, and organized by choosing John Adams, President, and Benjamin Pollard, Secretary. Mr. Adams, however, declined the appointment, and Isaac Parker was chosen in his stead. On the 9th of January, 1821, the Convention agreed to fourteen Articles of Amendment, and after passing a Resolve providing for submitting the same to the people, and appointing a committee to meet to count the votes upon the subject, was dissolved. The people voted on Monday, April 9th, 1821, and the Committee of the Convention met at the State House to count the votes, on Wednesday, May 24th. They made their return to the General Court; and at the request of the latter the Governor issued his proclamation on the 5th of June, 1821, announcing that nine of the fourteen Articles of Amendment had been adopted. These articles were numbered in the preceding pages from *one to nine* inclusive. The *first* Article was annulled by the *ninetieth* Article, the *second* Article by the *eighty-ninth* Article, the *fifth* Article by the *fifty-third* Article and the *ninth* Article by the *forty-eighth* Article.

The *tenth* Article of Amendment was adopted by the General Court during the sessions of the political years 1829-30, and 1830-31, and was approved and ratified by the people May 11th, 1831.

The *eleventh* Article of Amendment was adopted by the General Court during the sessions of the years 1832 and 1833, and was approved and ratified by the people November 11th, 1833.

The *twelfth* Article of Amendment was adopted by the General Court during the sessions of the years 1835 and 1836, and was approved and ratified by the people November 14th, 1836.

The *thirteenth* Article of Amendment was adopted by the General Court during the sessions of the years 1839 and 1840, and was approved and ratified by the people April 6th, 1840.

The General Court of the year 1851 passed an Act calling a third Convention to revise the Constitution. The Act was submitted to the people, and a majority voted against the proposed Convention. In 1852, on the 7th of May, another Act was passed calling upon the people to vote upon the question of calling a Constitutional Convention. A majority of the people having voted in favor of the proposed Convention, election for delegates thereto took place in March, 1853. The Convention met in the State House, in Boston, on the 4th day of May, 1853, and organized by choosing Nathaniel P. Banks, Jr., President, and William S. Robinson and James T. Robinson, Secretaries. On the 1st of August, this Convention agreed to a form of Constitution, and on the same day was dissolved, after having provided for submitting the same to the people, and appointed a committee to meet to count the votes, and to make a return thereof to the General Court. The Committee met at the time and place agreed upon, and found that the proposed Constitution had been rejected.

The *fourteenth, fifteenth, sixteenth, seventeenth, eighteenth*, and *nineteenth* Articles of Amendment were adopted by the General Court during the sessions of the years 1854 and 1855, and were approved and ratified by the people May 23d, 1855. The *eighteenth* Article was superseded by the *forty-sixth* Article.

The *twentieth, twenty-first* and *twenty-second* Articles of Amendment were adopted by the General Court during the sessions of the years 1856 and 1857, and were approved and ratified by the people May 1st, 1857. The *twenty-first* and *twenty-second* Articles were annulled and superseded by the *seventy-first* Article, which was subsequently annulled by the *ninety-second* Article.

The *twenty-third* Article of Amendment was adopted by the General Court during the sessions of the years 1858 and 1859, and was approved and ratified by the people May 9th, 1859, and was annulled by the *twenty-sixth* Article.

The *twenty-fourth* and *twenty-fifth* Articles of Amendment were adopted by the General Court during the sessions of the years 1859 and 1860, and were approved and ratified by the people May 7th, 1860.

The *twenty-sixth* Article of Amendment was adopted by the General Court during the sessions of the years 1862 and 1863, and was approved and ratified by the people April 6th, 1863.

The *twenty-seventh* Article of Amendment was adopted by the General Court during the sessions of the years 1876 and 1877, and was approved and ratified by the people on the 6th day of November, 1877.

The *twenty-eighth* Article of Amendment was adopted by the General Court during the sessions of the years 1880 and 1881, and was approved and ratified by the people on the 8th day of November, 1881.

The *twenty-ninth* Article of Amendment was adopted by the General

Court during the sessions of the years 1884 and 1885, and was approved and ratified by the people on the 3d day of November, 1885.

The *thirtieth* and *thirty-first* Articles of Amendment were adopted by the General Court during the sessions of the years 1889 and 1890, and were approved and ratified by the people on the 4th day of November, 1890.

The *thirty-second* and *thirty-third* Articles of Amendment were adopted by the General Court during the sessions of the years 1890 and 1891, and were approved and ratified by the people on the 3d day of November, 1891.

The *thirty-fourth* Article of Amendment was adopted by the General Court during the sessions of the years 1891 and 1892, and was approved and ratified by the people on the 8th day of November, 1892.

The *thirty-fifth* Article of Amendment was adopted by the General Court during the sessions of the years 1892 and 1893, and was approved and ratified by the people on the 7th day of November, 1893.

The *thirty-sixth* Article of Amendment was adopted by the General Court during the sessions of the years 1893 and 1894, and was approved and ratified by the people on the 6th day of November, 1894.

The *thirty-seventh* Article of Amendment was adopted by the General Court during the sessions of the years 1906 and 1907, and was approved and ratified by the people on the 5th day of November, 1907.

The *thirty-eighth* Article of Amendment was adopted by the General Court during the sessions of the years 1909 and 1910, and was approved and ratified by the people on the 7th day of November, 1911.

The *thirty-ninth* Article of Amendment was adopted by the General Court during the sessions of the years 1910 and 1911, and was approved and ratified by the people on the 7th day of November, 1911.

The *fortieth* and *forty-first* Articles of Amendment were adopted by the General Court during the sessions of the years 1911 and 1912, and were approved and ratified by the people on the 5th day of November, 1912. The *forty-first* Article was annulled by the *one hundred and tenth* Article.

The *forty-second* Article of Amendment was adopted by the General Court during the sessions of the years 1912 and 1913, and was approved and ratified by the people on the 4th day of November, 1913, and was annulled by the *forty-eighth* Article.

The *forty-third* and *forty-fourth* Articles of Amendment were adopted by the General Court during the sessions of the years 1914 and 1915, and were approved and ratified by the people on the 2d day of November, 1915.

In his inaugural address to the General Court of 1916, Governor McCall recommended that the question of revising the Constitution, through a Constitutional Convention, be submitted to the people; and the General Court passed a law (chapter 98 of the General Acts of 1916) to ascertain and carry out the will of the people relative thereto, the question to be submitted being "Shall there be a convention to revise, alter or amend the constitution of the Commonwealth?" The people voted on this question at the annual election, held on November 7, casting 217,293 votes in the affirmative and 120,979 votes in the negative; and accordingly the Governor on Dec. 19, 1916, made proclamation to that effect, and, by virtue of authority contained in the act, called upon the people to elect delegates at a special election to be held on the first Tuesday in May, 1917. The election was on May 1. In accordance with the provisions of the act, the delegates met at the State House on June 6, 1917, and organized by choosing John L. Bates, president, and James W. Kimball, secretary. After considering and acting adversely on numerous measures that had been brought before it, and after providing for submitting to the people the *forty-fifth, forty-sixth,* and *forty-seventh* Articles, at the state election of 1917, and the Article relative to the establishment of the popular initiative and referendum and the legislative initiative of specific amendments of the Constitution (Article forty-eight) at the state election of 1918, the Convention adjourned on November 28 "until called by the President or Secretary to meet not later than within ten days after the prorogation of the General Court of 1918."

The *forty-fifth, forty-sixth* and *forty-seventh* Articles of Amendment, ordered by the convention to be submitted to the people, were so submitted and were approved and ratified on the 6th day of November, 1917. The *forty-fifth* Article was annulled and superseded by the *seventy-sixth* and *one hundred and fifth* Articles.

On Wednesday, June 12, 1918, the convention reassembled and resumed its work. Eighteen more articles (Articles forty-nine to sixty-six, inclusive) were approved by the convention and were ordered to be submitted to the people. On Wednesday, August 21, 1918, the convention adjourned, "to meet, subject to call by the President or Secretary, not later than within twenty days after the prorogation of the General Court of 1919, for the purpose of taking action on the report of the special committee on Rearrangement of the Constitution."

The *forty-eighth* to the *sixty-sixth* (inclusive) Articles of Amendment, ordered by the convention to be submitted to the people, were so submitted and were approved and ratified on the 5th day of November, 1918. The *forty-ninth* Article was annulled by the *ninety-seventh* Article, the *fifty-second* Article by the *one hundred and second* Article, the *fifty-sixth* Article by the *ninetieth* Article, the *fifty-eighth* Article by the *ninety-eighth* Article, the *sixty-fourth* Article by the *eighty-second* Article and the *sixty-sixth* Article by the *eighty-seventh* Article. Section 2 of the *sixty-third* Article was annulled by the *one hundred and eighth* Article.

On Tuesday, August 12, 1919, pursuant to a call of its President, the Convention again convened. A rearrangement of the Constitution was adopted, and was ordered to be submitted to the people for their ratification. On the following day, a subcommittee of the Special Committee on Rearrangement of the Constitution was "empowered to correct clerical and typographical errors and establish the text of the rearrangement of the Constitution to be submitted to the people, in conformity with that adopted by the Convention." On Wednesday, August 13, 1919, the Convention adjourned, *sine die*. On Tuesday, November 4, 1919, the rearrangement was approved and ratified by the people; but, as to the effect thereof, see Opinion of the Justices, 233 Mass. 603; and Loring *v.* Young, decided August 8, 1921 [see 239 Mass. 349]. [For text of the *Rearrangement*, see Manuals for the years 1920 to 1932, inclusive.]

The *sixty-seventh* Article of Amendment was adopted by the General Court during the sessions of the years 1920 and 1921, and was approved and ratified by the people on the 7th day of November, 1922.

The *sixty-eighth* and *sixty-ninth* Articles of Amendment were adopted by the General Court during the sessions of the years 1921 and 1923, and were approved and ratified by the people on the 4th day of November, 1924.

The *seventieth* Article of Amendment was adopted by the General Court during the sessions of the years 1924 and 1925, and was approved and ratified by the people on the 2d day of November, 1926.

The *seventy-first* Article of Amendment was adopted by the General Court during the sessions of the years 1928 and 1930, and was approved and ratified by the people on the 4th day of November, 1930. The *seventy-first* Article was annulled by the *ninety-second* Article.

The *seventy-second* Article of Amendment (introduced by initiative petition) was approved by the General Court during the sessions of the years 1936 and 1937, and by the people on the 8th day of November, 1938, and was annulled by the *seventy-fifth* Article.

The *seventy-third, seventy-fourth, seventy-fifth* and *seventy-sixth* Articles of Amendment were adopted by the General Court during the sessions of the years 1941 and 1943, and were approved and ratified by the people on the 7th day of November, 1944. The *seventy-sixth* Article was annulled by the *one hundred and fifth* Article.

The *seventy-seventh* Article of Amendment was adopted by the General Court during the sessions of the years 1945 and 1947, and was approved and ratified by the people on the 2d day of November, 1948.

The *seventy-eighth* Article of Amendment was adopted by the General Court during the sessions of the years 1946 and 1947, and was approved and ratified by the people on the 2d day of November, 1948. The *seventy-eighth* Article was annulled by the *one hundred and fourth* Article.

The *seventy-ninth* Article of Amendment was adopted by the General Court during the sessions of the years 1946 and 1948, and was approved and ratified by the people on the 2d day of November, 1948.

The *eightieth* Article of Amendment was adopted by the General Court during the sessions of the years 1947 and 1949, and was approved and ratified by the people on the 7th day of November, 1950.

The *eighty-first* Article of Amendment was adopted by the General Court during the sessions of the years 1948 and 1949, and was approved and ratified by the people on the 7th day of November, 1950.

The *eighty-second* Article of Amendment was adopted by the General Court during the sessions of 1961 and 1963, and was approved and ratified by the people on the 3d day of November, 1964.

The *eighty-third* Article of Amendment was adopted by the General Court during the sessions of 1962 and 1963, and was approved and ratified by the people on the 3d day of November, 1964.

The *eighty-fourth* Article of Amendment was adopted by the General Court during the sessions of 1961 and 1963, and was approved and ratified by the people on the 3d day of November, 1964.

The *eighty-fifth* Article of Amendment was adopted by the General Court during the sessions of 1962 and 1963, and was approved and ratified by the people on the 3d day of November, 1964.

The *eighty-sixth, eighty-seventh, eighty-eighth* and *eighty-ninth* Articles of Amendment were adopted by the General Court during the sessions of 1963 and 1965, and were approved and ratified by the people on the 8th day of November, 1966.

The *ninetieth* Article of Amendment was adopted by the General Court during the sessions of 1965 and 1967; the *ninety-first* Article of Amendment was adopted by the General Court during the sessions of 1966 and 1967; and both Articles were approved and ratified by the people on the 5th day of November, 1968.

The *ninety-second* Article of Amendment was approved by the General Court during the sessions of 1968 and 1969; the *ninety-third* and *ninety-fourth* Articles of Amendment were approved by the General Court during the sessions of 1967 and 1969; and all three Articles were approved and ratified by the people on the 3d day of November, 1970. The *ninety-second* Article was annulled by the *one hundred and first* Article.

The *ninety-fifth, ninety-sixth, ninety-seventh, ninety-eighth, ninety-ninth* and *one hundredth* Articles of Amendment were adopted by the General Court during the sessions of 1969 and 1971, and all six Articles were approved and ratified by the people on the seventh day of November, 1972.

The *one hundred and first* and *one hundred and second* Articles of Amendment were adopted by the General Court during the sessions 1971 and 1973, and both Articles were approved and ratified by the people on the fifth day of November, 1974.

The *one hundred and third* Article of Amendment was adopted by the General Court during the sessions of 1972 and 1973, and was approved and ratified by the people on the fifth day of November, 1974.

The *one hundred and fourth* Article of Amendment was adopted by the General Court during the sessions of 1972 and 1974, and was approved and ratified by the people on the fifth day of November, 1974.

The *one hundred and fifth* Article of Amendment was adopted by the General Court during the sessions of 1973 and 1976, and was approved and ratified by the people on the second day of November, 1976.

The *one hundred and sixth* Article of Amendment was adopted by the General Court during the sessions of 1973 and 1975, and was approved and ratified by the people on the second day of November, 1976.

The *one hundred and seventh* Article of Amendment was adopted by the General Court during the sessions of 1975 and 1977, and was approved and ratified by the people on the seventh day of November, 1978.

The *one hundred and eighth* and *one hundred and ninth* Articles of Amendment were adopted by the General Court during the sessions of 1976 and 1977, and were approved and ratified by the people on the seventh day of November, 1978.

The *one hundred and tenth* Article of Amendment was adopted by the General Court during the sessions of 1976 and 1978, and was approved and ratified by the people on the seventh day of November, 1978.

The *one hundred and eleventh* and *one hundred and twelfth* Articles of Amendment were adopted by the General Court during the sessions of 1975 and 1977, and were approved and ratified by the people on the seventh day of November, 1978.

The *one hundred and thirteenth* Article of Amendment was adopted by the General Court during the sessions of 1976 and 1977, and was approved and ratified by the people on the seventh day of November, 1978.

The *one hundred and fourteenth* and *one hundred and fifteenth* Articles of Amendment were adopted by the General Court during the sessions of 1977 and 1980, and were approved and ratified by the people on the fourth day of November, 1980.

The *one hundred and sixteenth* Article of Amendment was adopted by the General Court during the sessions of 1980 and 1982, and was approved and ratified by the people on the second day of November, 1982.

The *one hundred and seventeenth* Article of Amendment was adopted by the General Court during the sessions of 1987 and 1990, and was approved and ratified by the people on the sixth day of November, 1990.

The *one hundred and eighteenth* Article of Amendment was adopted by the General Court during the sessions of 1996 and 1998, and was approved and ratified by the people on the third day of November, 1998.

The *one hundred and nineteenth* and *one hundred and twentieth* Articles of Amendment were adopted by the General Court during the sessions of 1998 and 2000, and were approved and ratified by the people on the seventh day of November, 2000.

AMENDMENTS REJECTED BY THE PEOPLE.

[A proposed Article of Amendment prohibiting the manufacture and sale of Intoxicating Liquor as a beverage, adopted by the General Court during the sessions of the years 1888 and 1889, was rejected by the people on the twenty-second day of April, 1889.]

[Proposed Articles of Amendment, (1) Establishing biennial elections of state officers, and (2) Establishing biennial elections of members of the General Court; adopted by the General Court during the sessions of the years 1895 and 1896, were rejected by the people at the annual election held on the third day of November, 1896.]

[A proposed Article of Amendment to make Women eligible to appointment as Notaries Public, adopted by the General Court during the sessions of the years 1912 and 1913, was rejected by the people on the fourth day of November, 1913.]

[A proposed Article of Amendment enabling Women to vote, adopted by the General Court during the sessions of the years 1914 and 1915, was rejected by the people on the second day of November, 1915.]

[A proposed Article of Amendment to give the General Court the power to pass an income tax at graduated or proportioned rates, adopted by the General Court during the sessions of the years 1959 and 1961 was rejected by the people on the sixth day of November, 1962; and similar Articles of Amendment adopted by the General Court during the sessions of the years 1966 and 1967, 1973 and 1975, and 1992 and 1994 were rejected by the people on the fifth day of November, 1968, the second day of November, 1976, and the eighth day of November, 1994.]

[A proposed Article of Amendment authorizing the Legislature to classify real property according to uses, and authorizing the assessment, rating and taxation of real property at different rates in the different classes so established, but proportionately in the same classes while granting reasonable exemptions and abatements, approved by the General Court during the sessions of the years of 1968 and 1969, was rejected by the people on the third day of November, 1970.]

[A proposed Article of Amendment authorizing the General Court to impose and levy a graduated income tax and to base such tax upon the federal income tax, adopted by the General Court during the sessions of the years 1969 and 1971, was rejected by the people on the seventh day of November, 1972.]

[A proposed Article of Amendment changing the procedure by which the Legislature declares a measure to be an emergency law, adopted by the General Court during the sessions of the years 1977 and 1980, was rejected by the people on the fourth day of November, 1980.]

[A proposed Article of Amendment permitting the Commonwealth or its political subdivisions to extend aid to non-public schools students within the limits of the United States Constitution, adopted by the General Court during the sessions of the years 1980 and 1982, was rejected by the people on the second day of November, 1982; and a similar Article of Amendment adopted by the General Court during the sessions of the years 1984 and 1986, was rejected by the people on the fourth day of November, 1986.]

[A proposed Article of Amendment relative to allowing the General Court to regulate the practice and public funding of abortions consistent with the United States Constitution, adopted by the General Court during the sessions of the years 1984 and 1986, was rejected by the people on the fourth day of November, 1986.]

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NOTE: — Ancient spelling used in text of original Constitution and early Amendments has been continued in this edition.

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THE STATE HOUSE,
SEAL OF THE COMMONWEALTH,
STATE LIBRARY, ETC.

THE STATE HOUSE.
and
GOVERNMENT CENTER.

The "Bulfinch Front" of the State House was erected in 1795-7, upon land purchased of the heirs of John Hancock, by the town of Boston, for the sum of £4,000, and conveyed by said town to the Commonwealth, May 2, 1795. The Commissioners on the part of the town to convey the "Governor's Pasture," as it was styled, to the Commonwealth, were William Tudor, Charles Jarvis, John Coffin Jones, William Eustis, William Little, Thomas Dawes, Joseph Russell, Harrison Gray Otis and Perez Morton. The agents for erecting the State House were named in the deed as follows: Thomas Dawes, Edward Hutchinson Robbins and Charles Bulfinch.

The corner stone was laid July 4, 1795, by Governor Samuel Adams, assisted by Paul Revere, Grand Master of the Grand Lodge of Masons. The stone was drawn to the spot by fifteen white horses, representing the number of States of the Union at that time. The original building is 172 feet front; the height, from base course to pinnacle, is 155 feet; and the foundation is about 106 feet above the waters of the bay. The dome is 53 feet in diameter and 35 feet high. The original cost of the building was estimated at $133,333.33.

Extensive improvements, including the "Bryant addition" extending backward upon Mount Vernon Street, were made, chiefly under the direction of a commission, in the years 1853, 1854 and 1855.

Under a resolve of 1866, a commission was appointed to inquire and report concerning the whole subject of remodeling or rebuilding the State House. They reported three propositions, without deciding in favor of any. The first was a plan of remodeling at an expense of $375,430; the second, a plan of remodeling at an expense of $759,872; and the third, a plan for a new building at an expense of $2,042,574. The report of the commission was referred to the committee on the State House of the session of 1867, who recommended a plan of alterations at the estimated expense of $150,000; and by Resolve No. 84 of that year the work was ordered to be executed under the supervision of a commission consisting of the President of the Senate and the Speaker of the House of Representatives, who were authorized by the same resolve to expend $150,000, and, by a subsequent resolve, $20,000 in addition. The President of the Senate died on the 28th of October, and thereafter the work was continued by the surviving commissioner. The improvements consisted of an almost entire reconstruction of the interior of the building, except the "Bryant addition," before referred to as having been added from 1853 to 1855. They were executed from the plans of the architects, Washburn & Son, and cost, including furniture, $270,256.96.

The Legislature of 1868 made provision for reseating the Senate Chamber and the Hall of the House, which improvements were made under the supervision of legislative committees, in season for the accommodation of the Legislature of 1869, at a cost of about $6,500.

By Resolve No. 68 of the year 1881, the sum of $45,000 was authorized to be expended for improving the basement of the State House, in accordance with plans submitted by the joint standing committee on the State House. The work was begun soon after the regular session of 1881, and was carried on under the supervision of the commissioners on the State House, consisting of Oreb F. Mitchell, Sergeant-At-Arms, Hon. Daniel A. Gleason, Treasurer and Receiver-General, and Hon. Henry B. Peirce, Secretary of State, assisted by John W. Leighton and Asa H. Caton, both of Boston, and appointed, under the resolve referred to, by the Governor and Council. Under the plans the floor of the basement was brought down to a common level, and numerous additional office rooms and needed accommodations were obtained.

Under authority of chapter 70 of the Resolves of 1885, passenger elevators were erected in the east and west ends of the building.

In accordance with the provisions of chapter 349 of the Acts of the year 1888, the Governor and Council, "for the purpose of providing suitable and adequate accommodations for the legislative and executive departments of the State government and for the several bureaus, boards and officers of the Commonwealth, whose offices are, or may be, located in the city of Boston, and for any other necessary and convenient uses of the Commonwealth," on November 7 of the same year, took possession in the name of the Commonwealth of the parcel of land lying next north of the State House, and bounded by Derne, Temple, Mount Vernon and Hancock streets, and also of a parcel of land lying to the east of Temple Street, between Mount Vernon and Derne streets, both lots with the buildings and improvements thereon, full power being given them to settle, by agreement or arbitration, the amount of compensation to be paid any person by reason of the taking of his property. They were also authorized to discontinue the whole of Temple Street between Mount Vernon and Derne streets, and to negotiate with the city of Boston concerning the construction of new streets or ways.

By chapter 404 of the Acts of 1892, for the purpose of securing an open space around the State House, the commissioners were authorized to take, by purchase or otherwise, the land bounded north by Derne Street, east by Bowdoin Street, south by Beacon Hill Place and west by the State House, and by chapter 129, Acts of 1893, they were authorized to sell the buildings thereon. Subsequently, the commissioners were authorized to take Beacon Hill Place (chapter 450, Acts of 1893) and also the land bounded east by Bowdoin Street, south by Beacon Street, west by Mount Vernon Street and north by the land then owned by the Commonwealth; and provision was made for the removal of buildings on said land and for the improvement thereof (chapter 532, Acts of 1894; chapter 223, Acts of 1897; chapter 382, Acts of 1900; and chapter 525, Acts of 1901). In 1901 authority was given to the Governor, with the advice and consent of the Council, to take in fee simple, in behalf of the Commonwealth, a parcel of land, with the buildings thereon, on the southerly side of Mount Vernon Street, immediately west of Hancock Avenue (chapter 525, Acts of 1901).

By chapter 92 of the Resolves of 1888, the Governor and Council were allowed a sum not exceeding $5,000 to enable them to devise and report to the next General Court a general plan for the better accommodation of the State government.

A plan was accordingly submitted to the General Court of 1889, and $2,500 was appropriated for the further perfecting of said plan. A bill to provide for the enlargement of the State House was subsequently reported in the Legislature and became a law (chapter 394 of the Acts of 1889). Under this act the Governor was authorized to appoint three persons, to be known as the State House Construction Commission, and Messrs. John D. Long, Wm. Endicott, Jr. and Benjamin D. Whitcomb were appointed the commissioners. Mr. Whitcomb died in 1894, and Mr. Charles Everett Clark was appointed to fill the vacancy. The latter died in 1899. In 1894 Mr. Long resigned and Mr. George W. Johnson was appointed a member of the commission. The architects selected were Messrs. Brigham & Spofford of Boston. Subsequently to March, 1892, Mr. Charles Brigham was the sole architect of the extension.

On the twenty-first day of December, 1889, the corner stone of the new building was laid by His Excellency Governor Ames with appropriate ceremonies. The removal of the various departments and commissions to the new building was begun in the latter part of 1894. The House of Representatives of 1895 convened in the old Representatives' Chamber on the second day of January, and on the following day met for the first time in the hall set apart for it in the State House extension. It has occupied this hall ever since. Pending changes in the State House building, the Senate sat in a room numbered 239, 240 and 241, in the extension. Its first meeting in this room was on February 18, 1895. On April 8 it resumed its sittings in the old Senate Chamber.

By chapter 124 of the Resolves of 1896, the State House Construction Commission was directed to provide temporary accommodations for the Senate of 1897 and its officers. A temporary floor was accordingly constructed across the apartment, then unfinished, that has since come to be known as Memorial Hall, on a level with the present gallery; and the room thus made was finished and furnished as a Senate Chamber, with accommodations for spectators. On January 6, 1897, the Senate met in this chamber, which it continued to occupy throughout the session of that year, and it also, for the first time, made use of the reading room and the other rooms and offices intended for its permanent occupancy.

By chapter 531 of the Acts of 1896, His Honor Roger Wolcott, Acting Governor, Hon. George P. Lawrence, President of the Senate, and Hon. George v. L. Meyer, Speaker of the House, were made a committee to decide upon a plan for preserving, restoring and rendering practically fire-proof the so-called Bulfinch State House. The committee was directed to employ an architect, who was to superintend the execution of the work in accordance with such drawings and specifications as should be approved by said committee. It was provided that the State House Construction Commission should have charge of the work. Mr. Arthur G. Everett was the architect selected by the committee, and with him was associated Mr. Robert D. Andrews. Mr. Charles A. Cummings was made consulting architect.

By chapter 470 of the Acts of 1897, His Excellency Roger Wolcott, Hon. George P. Lawrence, President of the Senate, and Hon. John L. Bates, Speaker of the House, were made a committee to decide upon plans for furnishing the so-called Bulfinch State House, with authority to employ an architect to make drawings, specifications and designs therefor, and also to superintend the execution of the work. Mr. Everett was selected for the purpose.

On the convening of the General Court of 1898, the Senate occupied for the first time the chamber in the Bulfinch building that had formerly been the Hall of the House of Representatives. The original Senate Chamber was assigned to the Senate by the Governor and Council as one of its apartments. The Senate has continued to occupy its new chamber ever since.

For the purpose of meeting the expenses incurred between 1889 and 1913 in connection with taking of land, including land damages, the construction and furnishing of the State House Extension, the finishing of the Memorial Hall therein, and the restoring and furnishing of the Bulfinch front, etc., bonds to the amount of $7,120,000 were issued from time to time.

By chapter 150 of the Resolves of 1912, the State House Commission (the Secretary of the Commonwealth, the Treasurer and Receiver-General and the Sergeant-at-Arms) was directed, with the cooperation of the State Arts Commission, to cause to be prepared plans for alterations in, and additions to, the State House, and to report to the next General Court. Report was made to the General Court of 1913 (House Document No. 133); and, by chapter 830 of the Acts of that year the State House Building Commission, to be appointed by the Governor with the advice and consent of the Council, was created, for the purpose of constructing additions substantially in accordance with the plan recommended in the report. Messrs. Albert P. Langtry, chairman, Joseph B. Russell and Neil McNeil were appointed the members of the building commission. Messrs. Robert D. Andrews, William Chapman and R. Clipston Sturgis were the architects selected by the commission. The work was begun in August, 1914. In 1915 Mr. John A. Keliher succeeded Mr. Langtry as a member of the commission and as its chairman, and Mr. J. Edward Fuller succeeded Mr. Russell.

By chapter 256 of the General Acts of 1915, the Commission was directed to construct a forward projection of the West wing, substantially the same as that already built in connection with the new East wing, and provision was made for the purchasing or taking of certain property and for the removal of the buildings thereon, etc. To meet the expenses connected with the making of these several alterations and additions, bonds to the amount of $2,265,000 were authorized and issued, as follows: chapter 830 of the Acts of 1913, $900,000; chapter 256 of the Acts of 1915, $600,000; chapter 181 of the Acts of 1916, $65,000; and chapter 250 of the Acts of 1916, $700,000. By chapter 17 of the General Acts of 1916, taking effect March 2, the State House Building Commission was abolished and its powers were transferred to the State House Commission. The members of this latter commission were Albert P. Langtry (Secretary of the Commonwealth), Charles L. Burrill (Treasurer and Receiver-General) and Thomas F. Pedrick (Sergeant-at-Arms of the General Court), Chairman; and, under their direction, the work was completed.

By item 8157-08, section 2, Chapter 711, Acts of 1956, The State Superintendent of Buildings was directed to cause the preparation of plans for, and the construction of, an archives building on the grounds of the State House. This item appropriated $1,005,000 for the project. With Maurice A. and F. Parker Reidy of Boston, engineers in charge, and the

Boston firm of Perry Shaw, Hepburn and Dean as consulting architects, construction was begun July 1, 1958. The archives museum and underground vaults for the archives and the State Library were completed and accepted by the Commonwealth on September 27, 1960.

Chapter 711 of the Acts of 1956 also provided for the air conditioning of both the House and Senate chambers.

The Government Center Commission was created by Chapter 635, Acts of 1960 to construct additional buildings near the State House to house the various expanding agencies of the state government. The land bounded by Cambridge, Somerset, Bowdoin, and Ashburton Place was taken by eminent domain in 1961. The state office building at 100 Cambridge Street was designed by Emery Roth and Sons of New York. Construction was begun in 1962 under contract with Wexler Construction Company of Newton Highlands and completed by the Perini Corporation at a cost of about $26,600,000. Occupancy began in December 1965 and formal dedication ceremonies were conducted on May 17, 1966. The building has since been named for former Governor Leverett Saltonstall.

The Division of Employment Security Building on Cambridge Street was designed by Shepley, Bulfinch, Richardson, and Abbott, a Boston architectural firm. Construction was begun in 1967 by Vappi and Company. This building, completed in March 1970 at a cost of over $11,200,000, was named as a memorial to former Governor Charles F. Hurley.

Also part of the Government Center project is the Mental Health Center. Designed by Paul Rudolph of the Boston architectural firm, Desmond and Lord, this building cost approximately $10,935,000. The state took occupancy in December 1970 and it was named for Dr. Erich Lindemann, former Chief of Psychiatric Services, at the Massachusetts General Hospital. Dr. Lindemann had been greatly instrumental in the organization and staffing of the center.

A fourth building on New Chardon Street, planned to house the state health, welfare, and education agencies, never reached the construction stage.

Chapter 685, Acts of 1968 authorized the construction of an underground garage and office building on Ashburton Place. This project was designed by Hoyle, Doran and Berry of Boston. Construction began in 1971 under contract to Vappi and Company. It was completed in 1975 at an approximate cost of $34,250,000 and was designated the John W. McCormack State Office Building.

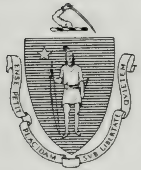
These new buildings permitted moving many state agencies out of the State House and allowed a great expansion in the space available for offices for members and staff of the General Court.

Repairs, renovations, and upgrading of the State House were authorized under the following acts: Chapter 723 of the Acts of 1983 authorized $30,800,000; Chapter 564 of the Acts of 1987 authorized $7,000,000; and Chapter 164 of the Acts of 1988 authorized $22,000,000.

The first phase of the renovations began February 8, 1988, and was completed in the Fall of 1990. The architects for the design were Shepley, Bulfinch, Richardson and Abbott, and the construction contract was awarded to the Perini Corporation.

Completed work includes: fence replacement, front lawn landscaping, entrance to west wing, two new hearing rooms, the newly created Great Hall, an underground parking garage, restoration of Ashburton Park, all mechanical (HVAC) work in Block B, some mechanical work in other blocks, relocation of electrical vaults, roof repairs, a new telecommunications system, and some structural repairs.

SEAL OF THE COMMONWEALTH.


ENSE PETIT PLACIDAM SVB LIBERTATE QVIETEM

COUNCIL RECORDS,
WEDNESDAY, DECEMBER 13TH, 1780.

Ordered, That Nathan Cushing, Esqr., be a committee to prepare a Seal for the Commonwealth of Massachusetts, who reported a Device for a Seal for said Commonwealth as follows, viz.: SAPPHIRE, an Indian, dressed in his Shirt, Maggosins, belted proper, in his right hand a Bow, TOPAZ, in his left an Arrow, its point towards the Base; of the second, on the Dexter side of the Indian's head, a Star, PEARL, for one of the United States of America.

CREST. On a Wreath a Dexter Arm clothed and ruffled proper, grasping a Broad Sword, the Pummel and Hilt, TOPAZ, with this Motto: *Ense Petit Placidam Sub Libertate Quietem*. And around the Seal: *Sigillum Reipublicae Massachusettensis*.

Advised that the said Report be Accepted as the Arms of the Commonwealth of Massachusetts.

ARMS, GREAT SEAL AND OTHER EMBLEMS OF THE COMMONWEALTH.

[Chapter 2 of the General Laws.]

ARMS, GREAT SEAL AND OTHER EMBLEMS OF THE COMMONWEALTH.

SECTION 1. The coat of arms of the commonwealth shall consist of a blue shield with an Indian thereon, dressed in a shirt, leggings and moccasins, holding in his right hand a bow, and in his left hand an arrow, point downward, all of gold; and, in the upper right-hand corner of the field a silver star of five points. The crest shall be, on a wreath of gold and blue, a right arm, bent at the elbow, clothed and ruffled, and grasping a broad-sword, all of gold. The motto "Ense petit placidam sub libertate quietem" shall appear in gold on a blue ribbon.

SECTION 2. The seal of the commonwealth shall be circular in form, bearing upon its face a representation of the arms of the commonwealth encircled with the inscription within a beaded border, "Sigillum Reipublicae Massachusettensis". The colors of the arms shall not be an essential part of said seal, and an impression from a seal engraved according to said design, on any commission, paper, or document shall be valid without such colors or the representation thereof by heraldic lines or marks.

SECTION 3. The flag of the commonwealth shall consist of a white rectangular field, bearing on either side a representation of the arms of the commonwealth, except that the star shall be white. The naval and maritime flag of the commonwealth shall consist of a white rectangular field bearing on either side a representation of a green pine tree.

SECTION 4. The flag of the governor shall conform to the design of the flag of the commonwealth, except that the field of the flag of the governor shall be triangular in shape.

SECTION 5. The state secretary shall be the custodian of the coat of arms, seal and flags of the commonwealth and all representations of said arms, seal and flags shall conform strictly to the specifications which shall be prepared under the direction of the state secretary in the year nineteen hundred and seventy-one and deposited in his office. The proper use and display of said arms, seal and flags of the commonwealth and their manufacture are hereby subject to such regulations relating thereto which the state secretary may from time to time issue, provided that such regulations shall be in conformity with all the relevant legislation of the United States and of the commonwealth.

SECTION 6. The flag of the United States and the flag of the commonwealth shall be displayed on the main or administration building of each public institution of the commonwealth. The flags shall be of suitable dimensions and shall be flown every day when the weather permits.

SECTION 6A. The flag of the commonwealth shall be flown at half-staff at or on the main or administration building of each public institution of the commonwealth, at or on each other state-owned or state-controlled building, and at all state military installations on the following occasions for the periods indicated:—

(a) On all occasions upon which the national flag is flown at half-staff and for the same period of time;

(b) On the death of a governor or ex-governor of the commonwealth for thirty days from the day of death;

(c) On the death of a lieutenant-governor, secretary, treasurer and receiver-general, attorney general, or auditor of the commonwealth from the day of death until sunset of the day of interment;

(d) On the death of a senator in congress from the commonwealth, from the day of death until sunset of the day of interment;

(e) On the death of a representative in congress from the commonwealth, the flag of the commonwealth shall be flown at half-staff at the aforementioned sites in the representative's congressional district from the day of death until sunset of the day of interment;

(f) In the event of the death of other elected officials or former elected officials of the commonwealth, from the day of death until sunset of the day of interment in accordance with such orders or instructions as may be issued by or at the direction of the governor; and

(g) In the event two or more of the aforementioned periods coincide in full or in part, the state flag shall be displayed at half-staff for such period as will comply with the above provisions without resulting in an additional and separate period of such display for each such death.

SECTION 7. The mayflower (*epigaea repens*) shall be the flower or floral emblem of the commonwealth.

SECTION 8. The American elm (*Ulmus americana*) shall be the tree or tree emblem of the commonwealth.

SECTION 9. The chickadee (*Penthestes atricapillus*) shall be the bird or bird emblem of the commonwealth.

SECTION 10. Cranberry juice shall be the beverage of the commonwealth.

SECTION 11. The Morgan horse shall be the horse or horse emblem of the commonwealth.

SECTION 12. The Ladybug shall be the insect or insect emblem of the commonwealth.

SECTION 13. The Cod shall be the fish or fish emblem and the historic and continuing symbol of the commonwealth.

SECTION 14. The Boston terrier shall be the dog or dog emblem of the commonwealth.

SECTION 15. Rhodonite shall be the gem or gem emblem of the commonwealth.

SECTION 16. The right whale (*Eubalaena Glacialis*) shall be the marine mammal or marine mammal emblem of the commonwealth.

SECTION 17. The dinosaur track shall be the fossil or fossil emblem of the commonwealth.

SECTION 18. Babingtonite shall be the mineral or mineral emblem of the commonwealth.

SECTION 19. The song "All Hail to Massachusetts", words and music by Arthur J. Marsh, shall be the song of the commonwealth.

SECTION 20. The song "Massachusetts", words and music by Arlo Guthrie, shall be the folk song of the commonwealth.

SECTION 21. The poem, "Blue Hills of Massachusetts", composed by Katherine E. Mullen of the town of Barre, shall be the official state poem of the commonwealth.

SECTION 22. The Roxbury Puddingstone (Roxbury Conglomerate), shall be the rock or rock emblem of the commonwealth.

SECTION 23. Plymouth Rock, located in the town of Plymouth, shall be the historical rock of the commonwealth.

SECTION 24. Dighton Rock shall be the explorer rock of the commonwealth.

SECTION 25. Granite shall be the building and monument stone of the commonwealth.

SECTION 26. Deborah Samson, who fought in the War of Independence, shall be the official heroine of the commonwealth.

SECTION 27. The song "The Road to Boston", composer unknown, shall be the official ceremonial march of the commonwealth.

SECTION 28. The corn muffin shall be the official muffin of the commonwealth.

SECTION 29. The New England neptune (*neptunea lyrata decemcostatal*) shall be the shell of the commonwealth.

SECTION 30. The Tabby Cat shall be the official cat of the commonwealth.

SECTION 31. The song "Massachusetts (Because of You Our Land Is Free)", words and music by Bernard Davidson, shall be the patriotic song of the commonwealth.

SECTION 32. Square Dancing shall be the official folk dance of the commonwealth.

SECTION 33. The Paxton Soil Series shall be the official soil of the commonwealth.

SECTION 34. The memorial to be constructed in the city of Worcester by the Commonwealth of Massachusetts Vietnam Veterans' Memorial Trust, Incorporated shall be the official memorial of the commonwealth to honor the Vietnam War veterans of the commonwealth.

SECTION 35. Bay Staters shall be the official designation of citizens of the commonwealth.

SECTION 36. The wild turkey (*Meleagris Gallopavo*) shall be the game bird and game bird emblem of the commonwealth.

SECTION 37. The memorial to be constructed in the city of Worcester by the Desert Calm Committee, Inc. shall be the official state monument for the veterans of the Southwest Asia War.

SECTION 38. The baked navy bean shall be the official bean of the commonwealth.

SECTION 39. The cranberry (*vaccinum macrocarpon*) shall be the official berry of the commonwealth.

SECTION 40. Johnny Appleseed shall be the official folk hero of the commonwealth.

SECTION 41. The Boston cream pie shall be the official dessert or dessert emblem of the commonwealth.

SECTION 42. The chocolate chip cookie shall be the official cookie of the commonwealth.

SECTION 43. The song "The Great State of Massachusetts", words by George A. Wells, and music by J. Earl Bley, shall be the glee club song of the commonwealth.

SECTION 44. The words and music of "Say Hello to Someone in Massachusetts" by Lenny Gomulka shall be the official polka of the commonwealth.

SECTION 45. A memorial statue built in the town of Orange in recognition of veterans who served in World War I and designated as the Orange Peace Statue shall be the official peace statue of the commonwealth.

SECTION 46. The Korean War Memorial located in the shipyard park of the Charlestown Navy Yard shall be the official memorial of the commonwealth to honor the Korean War veterans of the commonwealth.

SECTION 47. The words and music of "Ode to Massachusetts" by Joseph Falzone shall be the official ode of Massachusetts.

SECTION 48. The MIA/POW Memorial located at the Massachusetts National Cemetery in the town of Bourne shall be the official MIA/POW memorial of the commonwealth.

SECTION 49. The book *Make Way for Ducklings* by Robert McCloskey shall be the official children's book of the commonwealth.

SECTION 50. The author Theodor Geisel, better known as *Dr. Seuss,* shall be the official children's author and children's illustrator of the commonwealth.

SECTION 51. The Boston Cream Donut shall be the official donut of the commonwealth.

SECTION 52. The Bay State Tartan shall be the official District Tartan of the commonwealth.

SECTION 53. Blue, green and cranberry shall be the official colors of the commonwealth.

SECTION 54. The muscian, Henry St. Clair Fredericks, better known as Taj Mahal, shall be the official Blues Artist of the commonwealth.

SECTION 55. The sport of basketball shall be the official sport of the commonwealth.

SECTION 56. Benjamin Franklin shall be the official inventor of the commonwealth.

SECTION 57. The garter snake shall be the official reptile of the commonwealth.

SECTION 58. Norman Rockwell shall be the official artist of the commonwealth.

SECTION 59. Rolling Rock, located in the city of Fall River, shall be the glacial rock of the commonwealth.

OATH OR AFFIRMATION OF OFFICE.

Under the Constitution and Laws of the Commonwealth and of the United States every person chosen or appointed to any office, civil or military, under the government of this Commonwealth, before he enters on the duties of his office, is required to take and subscribe the following oath or affirmation:—

THE OATH OF OFFICE.

I, (name), do solemnly swear, that I will bear true faith and allegiance to the Commonwealth of Massachusetts, and will support the Constitution thereof. *So help me God.*

I, (name), do solemnly swear and affirm, that I will faithfully and impartially discharge and perform all the duties incumbent on me as : according to the best of my abilities and understanding, agreeably, to the rules and regulations of the Constitution, and the laws of this Commonwealth. *So help me God.*

I, (name), do solemnly swear that I will support the Constitution of the United States.

AFFIRMATION.

I, (name), do solemnly affirm, that I will bear true faith and allegiance to the Commonwealth of Massachusetts, and will support the Constitution thereof. *This I do under the pains and penalties of perjury.*

I, (name), do solemnly affirm, that I will faithfully and impartially discharge and perform all the duties incumbent on me as : according to the best of my abilities and understanding, agreeably, to the rules and regulations of the Constitution, and the laws of this Commonwealth. *This I do under the pains and penalties of perjury.*

I, (name), do solemnly affirm that I will support the Constitution of the United States.

STATE LIBRARY OF MASSACHUSETTS.

ROOM 341, STATE HOUSE.

The State Library is a government research library maintained to meet the current information needs and research requirements of the General Court, the Executive branch and state government employees. All library materials are available to the public for research use.

The Library's collections are strong in the areas of public law, public affairs, Massachusetts state and local history, and American history. Maps, atlases, photographs, manuscripts and media collections contribute to the Library's documentation of the state and its history.

Presently, the Library contains over 1.2 million items. The law collection emphasizes public law as contrasted to the law of private practice. All states' statutory law and judicial decisions are represented in the collection. Coverage of federal law is complete as well. This collection is the only public law library in Suffolk County. Electronic access to legal resources and other specialized databases is offered to state employees.

Designated as the official repository for Massachusetts state publications (St. 1984, c. 412), the State Library has a comprehensive collection of state publications from both the legislative and executive branches. This collection, which grows daily, is historic in scope and includes many early reports. The Library expands its collection in a variety of media; recent additions to the collection include the Senate and the House of Representatives' proceedings on videotape and selected legislative committee hearings on videotape.

The State Library has been a selective depository for federal documents for over one hundred years, resulting in important historic and current collections of federal reports. The federal documents collection is notable in its coverage of Congressional reports, Census Bureau publications, Geological Survey maps, and Department of Labor documents.

The State Library is governed by a board of trustees, four of whom are citizens appointed by the Governor. The President of the Senate, the Speaker of the House of Representatives, and the State Secretary serve on the board ex officio. The Library is managed by the State Librarian who is appointed by the Governor. The Librarian is assisted by professional and support staff. In 1960, the State Library was officially designated as the George Fingold Library in tribute to the late Attorney General.

Trustees:

— The Honorable Therese Murray
Senate President, *ex officio*

— The Honorable Robert A. DeLeo, Speaker of the
House of Representatives, *ex officio*

— William F. Galvin, Secretary of State, *ex officio*

— Representative Robert L. Rice, Jr.

— Senator James B. Eldridge

— Matthew O'Connor, Maynard

— Sharen Leonard, Boston

— Jeffrey Smith, Worcester

— Michael Maresco, Marshfield

State Librarian/Director — Elvernoy Johnson

Assistant Director/Head of Reference — Alix Quan

Head of Special Collections — Paige Roberts

Legislative Reference Librarian — Pamela W. Schofield

Head of Technical Services — Judith E. Carlstrom

Government Documents Librarian — Bette L. Siegel

Executive Reference Librarian — Eva Murphy

Interlibrary Loan Librarian — Tina Vegelante

Program Coordinator — Patrick D. Mahoney

BOSTON ATHENAEUM.

10½ Beacon Street.

By the act of the General Court incorporating the Proprietors of the Boston Athenaeum, it is provided that the Governor, Lieutenant-Governor, the members of the Council, of the Senate, and of the House of Representatives, for the time being, shall have free access to the Library of the said corporation, and may visit and consult the same at all times, under the same regulations as may be provided by the by-laws of said corporation for the proprietors thereof.

The Boston Athenaeum is near the State House; and members who may wish to avail themselves of their privilege can receive a note of introduction to the Librarian by applying to the Sergeant-at-Arms.

MASSACHUSETTS HISTORICAL SOCIETY.

1154 Boylston Street, Boston.

Section 6 of the Act of Feb. 19, 1794, incorporating the Massachusetts Historical Society, provides that "either branch of the Legislature shall, and may have free access to the library and museum of said Society."

THE SOCIAL LAW LIBRARY.

Room 1200, Suffolk County Court House.

The Social Law Library was founded in 1804 as a private association library, owned by and available only to its members. The Commonwealth appropriates annually a sum to the support of this library for providing law library service to the judiciary and all attorneys in the employ of the Commonwealth. Its 175,000 volume collection makes it the largest law library in Boston for the practicing lawyer. By an act of October 21, 1814 the library is open to all members of the General Court.

LEGAL HOLIDAYS IN MASSACHUSETTS

(See General Laws, Chapter 4, Section 7,
Eighteenth paragraph, as
most recently amended by
Chapter 451 of the Acts of 1985.)

New Year's Day	January the first
Martin Luther King's Birthday	Third Monday in January
Washington's Birthday	Third Monday in February
Patriots' Day	Third Monday in April
Memorial Day	Last Monday in May
Independence Day	July the fourth
Labor Day	First Monday in September
Columbus Day	Second Monday in October
Veterans' Day	November the eleventh
Christmas Day	December the twenty-fifth

And the Day designated by the Governor as a day of Thanksgiving, customarily the fourth Thursday in November.

In Suffolk County only	March the seventeenth (Acts of 1962, Chapter 616) June the seventeenth (Acts of 1962, Chapter 616)

PROCLAMATIONS REQUIRED TO BE ISSUED ANNUALLY BY THE GOVERNOR

Stalking Awareness Month (General Laws, Chapter 6, Section 15ZZZZ)	Month of January
New Orleans Day (General Laws, Chapter 6, Section 12F)	January the eighth
Albert Schweitzer's Reverence for Life Day (General Laws, Chapter 6, Section 12T)	January the fourteenth
Martin Luther King, Jr. Day (General Laws, Chapter 6, Section 15S)	January the fifteenth

Jaycee Week and Jaycee Day . . . . Third week in January and
Wednesday of that week
(General Laws, Chapter 6, Section 15Y)

Child Nutrition Week . . . . Last week in January
(General Laws, Chapter 6, Section 15X)

Thomas Paine Day. . . . . January the twenty-ninth
(General Laws, Chapter 6, Section 15PPPP)

American History Month . . . . Month of February
(General Laws, Chapter 6, Section 15C)

Tadeusz Kosciuszko Day . . . . First Sunday in February
(General Laws, Chapter 6, Section 12BB)

USO Appreciation Day . . . . February the fourth
(General Laws, Chapter 6, Section 12RR)

Lincoln Day . . . . February the twelfth
(General Laws, Chapter 6, Section 13)

Cogenital Heart Defect Awareness Day. . . . . February the fourteenth
(General Laws, Chapter 6, Section 15JJJJ)

Spanish War Memorial Day and
Maine Memorial Day . . . . February the fifteenth
(General Laws, Chapter 6, Section 14A)

Lithuanian Independence Day . . . . February the sixteenth
(General Laws, Chapter 6, Section 12GG)

Iwo Jima Day . . . . February the nineteenth
(General Laws, Chapter 6, Section 12AA)

Homeless Unity Day . . . . February the twentieth
(General Laws, Chapter 6, Section 12QQ)

Washington Day . . . . Third Monday in February
(General Laws, Chapter 6, Section 12T)

Homeless Awareness Week . . . . Last week in February
(General Laws, Chapter 6, Section 15CCC)

Kalevala Day . . . . February the twenty-eighth
(General Laws, Chapter 6, Section 15T)

Irish-American Heritage Month . . . . Month of March
(General Laws, Chapter 6, Section 15FFFF)

Anniversary of the Boston Massacre . . . . March the fifth
(General Laws, Chapter 6, Section 12D)

Luther Burbank Day .... March the seventh
(General Laws, Chapter 6, Section 15MMMM)

Lucy Stone Day .... March the eighth
(General Laws, Chapter 6, Section 15DDDD)

Jack Kerouac Day .... March the twelfth
(General Laws, Chapter 6, Section 15IIIII)

Slovak Independence Day .... March the fourteenth
(General Laws, Chapter 6, Section 12II)

Peter Francisco Day .... March the fifteenth
(General Laws, Chapter 6, Section 12S)

Robert Goddard Day .... March the sixteenth
(General Laws, Chapter 6, Section 15AAAA)

Evacuation Day .... March the seventeenth
(General Laws, Chapter 6, Section 12K)

Employ the Older Worker Week .... Third week in March
(General Laws, Chapter 6, Section 15GG)

Greek Independence Day .... March the twenty-fifth
(General Laws, Chapter 6, Section 15RR)

Italian American War Veterans of
the United States, Inc., Day .... March the twenty-seventh
(General Laws, Chapter 6, Section 15J)

Vietnam Veterans Day .... March the twenty-ninth
(General Laws, Chapter 6, Section 15MM)

Practical Nursing Education Week .... Last full week in March
(General Laws, Chapter 6, Section 15UU)

Motorcycle Safety and Awareness Time .... Last week in March
to last week in April
(General Laws, Chapter 6, Section 15NNNN)

Civilian Conservation Corps Day .... March the thirty-first
(General Laws, Chapter 6, Section 15OOOO)

Parliamentary Law Month .... Month of April
(General Laws, Chapter 6, Section 15QQ)

School Library Media Month .... Month of April
(General Laws, Chapter 6, Section 15AAA)

Public Health Month .... Month of April
(General Laws, Chapter 6, Section 15IIII)

Autistic Awareness Month . . . . Month of April
(General Laws, Chapter 6, Section 15LLLL)

Armenian-American Heritage Month . . . . Month of April
(General Laws, Chapter 6, Section 15WWWW)

Student Government Day . . . . First Friday of April
(General Laws, Chapter 6, Section 12M)

Tartan Day . . . . April the sixth
(General Laws, Chapter 6, Section 15QQQQ)

Veterans of World War I
Hospital Day . . . . First Sunday in April
(General Laws, Chapter 6, Section 12T)

Bataan-Corregidor Day . . . . April the ninth
(General Laws, Chapter 6, Section 15Z)

Former Prisoner of War
Recognition Day . . . . April the ninth
(General Laws, Chapter 6, Section 12PP)

Earth Week . . . . One week in April
(General Laws, Chapter 6, Section 14C)

George Demeter Day . . . . Second Wednesday in April
(Acts of 1989, Chapter 208)

Aunt's and Uncle's Day . . . . Second Sunday in April
(General Laws, Chapter 6, Section 12T)

Licensed Practical Nurse Week . . . . Second last full week in April
(General Laws, Chapter 6, Section 15LL)

Armenian Martyrs' Day . . . . April the twenty-fourth
(General Laws, Chapter 6, Section 15II)

Patriots' Day . . . . Third Monday in April
(General Laws, Chapter 6, Section 12J)

Earth Day . . . . Fourth Monday in April
(Acts of 1971, Chapter 70)

Arbor and Bird Day . . . . Last Friday in April
(General Laws, Chapter 6, Section 15)

Workers' Memorial Day . . . . Fourth Friday in April
(General Laws, Chapter 6, Section 15KKK)

Secretaries Week . . . . Last week in April
(General Laws, Chapter 6, Section 15AA)

School Principals'
Recognition Day . . . . April the twenty-seventh
(General Laws, Chapter 6, Section 12UU)

Exercise Tiger Day . . . . April the twenty-eighth
(General Laws, Chapter 6, Section 12OO)

Guardian's Day . . . . Fourth Sunday in April
(General Laws, Chapter 6, Section 15XXXX)

Senior Citizens Month . . . . Month of May
(General Laws, Chapter 6, Section 15B)

Keep Massachusetts
Beautiful Month . . . . Month of May
(General Laws, Chapter 6, Section 15O)

Law Enforcement
Memorial Month . . . . Month of May
(General Laws, Chapter 6, Section 15TTT)

Loyalty Day . . . . May the first
(General Laws, Chapter 6, Section 12O)

Polish Constitution Day . . . . May the third
(General Laws, Chapter 6, Section 12R)

Horace Mann Day . . . . May the fourth
(General Laws, Chapter 6, Section 12T)

Whale Awareness Day . . . . First Thursday in May
(General Laws, Chapter 6, Section 15ZZ)

Mother's Day . . . . Second Sunday in May
(General Laws, Chapter 6, Section 12T)

Emergency Responders
Memorial Day . . . . Second Sunday in May
(General Laws, Chapter 6, Section 15RRR)

Emergency Management Week . . . . Week following the
second Sunday in May
(General Laws, Chapter 6, Section 15SSS)

Police Officers' Week . . . . Week in which May 15 occurs
(General Laws, Chapter 6, Section 15N)

Police Memorial Day . . . . May the fifteenth
(General Laws, Chapter 6, Section 15JJJ)

Joshua James Day . . . . Third Sunday in May
(General Laws, Chapter 6, Section 15XX)

Lafayette Day . . . . May the twentieth
(General Laws, Chapter 6, Section 12H)

Maritime Day . . . . May the twenty-second
(General Laws, Chapter 6, Section 12Y)

Deborah Samson Day . . . . May the twenty-third
(General Laws, Chapter 6, Section 12FF)

Special Needs Awareness Day . . . . May the twenty-third
(General Laws, Chapter 6, Section 15BBBB)

Phenylketonuria Awareness Day. . . . . May the twenty-fourth
(General Laws, Chapter 6, Section 15FFFFF)

American Indian Heritage Week . . . . Third week in May
(General Laws, Chapter 6, Section 12I)

Visiting Nurse Association Week . . . . Third week in May
(General Laws, Chapter 6, Section 12JJ)

National Family Week . . . . Third week in May
(General Laws, Chapter 6, Section 15KK)

Missing Children's Day . . . . May the twenty-fifth
(General Laws, Chapter 6, Section 15RRRR)

Massachusetts Art Week . . . . Last week in May
(General Laws, Chapter 6, Section 15D)

Memorial Day . . . . Last Monday in May
(General Laws, Chapter 6, Section 12Q)

Presidents' Day . . . . May the twenty-ninth
(General Laws, Chapter 6, Section 15VV)

Massachusetts National
Guard Week . . . . Week preceding
Armed Forces Day
(General Laws, Chapter 6, Section 15BB)

Portuguese-American Month . . . . Month of June
(General Laws, Chapter 6, Section 15GGGG)

Teachers' Day . . . . First Sunday in June
(General Laws, Chapter 6, Section 12X)

Garden Week . . . . Week beginning the
First Sunday in June

(General Laws, Chapter 6, Section 12WW)

Retired Members of the
Armed Forces Day . . . . First Monday in June
(General Laws, Chapter 6, Section 15CC)

Public Employees
Appreciation Day . . . . First Wednesday in June
(General Laws, Chapter 6, Section 15TT)

Children's Day . . . . Second Sunday in June
(General Laws, Chapter 6, Section 12U)

State Walking Sunday . . . . Second Sunday in June
(General Laws, Chapter 6, Section 15NN)

Fire Fighters Memorial Sunday . . . . Second Sunday in June
(General Laws, Chapter 6, Section 15JJ)

Rabies Prevention Week . . . . Second week in June
(General Laws, Chapter 6, Section 15EEE)

Massachusetts Nonprofit Awareness Day . . . . . . Second Monday in June
General Laws, Chapter 6, Section 15KKKKK)

Flag Day . . . . June the fourteenth
(General Laws, Chapter 6, Section 14)

Father's Day . . . . Third Sunday in June
(General Laws, Chapter 6, Section 12T)

Bunker Hill Day . . . . June the seventeenth
(General Laws, Chapter 6, Section 12C)

Juneteenth Independence Day. . . . . . . Sunday that is closest to June 19th
(General Laws, Chapter 6, Section 15BBBBB)

Destroyer Escort Day . . . . Third Saturday in June
(General Laws, Chapter 6, Section 12TT)

Battleship Massachusetts
Memorial Day . . . . Last Saturday in June
(General Laws, Chapter 6, Section 15M)

Winthrop Beach
Awareness Day . . . . Last Saturday in June
(Acts of 1989, Chapter 146)

John Carver Day . . . . Fourth Sunday in June
(General Laws, Chapter 6, Section 15HH)

Korean War Veterans Day . . . . June the twenty-fifth

(General Laws, Chapter 6, Section 12MM)

Ninth Regiment Massachusetts Volunteer Infantry
of the Civil War Day . . . . June the twenty-seventh
(General Laws, Chapter 6, Section 15UUUU)

Saint Jean de Baptiste Day . . . . Fourth Sunday in June
(General Laws, Chapter 6, Section 15OO)

Reflex Sympathetic Dystrophy
Awareness Month . . . . Month of July
(General Laws, Chapter 6, Section 15OOO)

Independence Day . . . . July the fourth
(General Laws, Chapter 6, Section 15DD)

54th Regiment Massachusetts Volunteer Infantry
of the Civil War Day . . . . July the eighteenth
(General Laws, Chapter 6, Section 15VVVV)

Rose Fitzgerald Kennedy Day . . . . July the twenty-second
(General Laws, Chapter 6, Section 12SS)

Lead Poisoning Prevention Week . . . . week beginning with the
third Sunday in July
(General Laws, Chapter 6, Section 15XXX)

Jamaican Independence Day . . . . First Monday in August
(General Laws, Chapter 6, Section 12Z)

Youth in Government Day . . . . First Friday in August
(General Laws, Chapter 6, Section 15WW)

Public Employees Week . . . . First week of August
(General Laws, Chapter 6, Section 12CC)

Purple Heart Day . . . . August the seventh
(General Laws, Chapter 6, Section 12T)

Liberty Tree Day . . . . August the fourteenth
(General Laws, Chapter 6, Section 15I)

Social Security Day . . . . August the fourteenth
(General Laws, Chapter 6, Section 12LL)

Susan B. Anthony Day . . . . August the twenty-sixth
(General Laws, Chapter 6, Section 15E)

Caribbean Week . . . . Last week in August
(General Laws, Chapter 6, Section 15QQQ)

Sight-Saving Month . . . . Month of September
(General Laws, Chapter 6, Section 12W)

Literacy Awareness Month . . . . Month of September
(General Laws, Chapter 6, Section 15NNN)

Brain Aneurysm Awareness Month . . . . Month of September
General Laws, Chapter 6, Section 15CCCCC)

World War II Commemoration Day . . . . September the second
(General Laws, Chapter 6, Section 15YYYY)

Grandparents Day. . . . . Sunday following the first Monday of September
(General Laws, Chapter 6, Section 12EE)

Labor Week . . . . First week in September
(General Laws, Chapter 6, Section 12KK)

Alzheimer's Awareness Week . . . . First full week in September
(General Laws, Chapter 6, Section 15GGG)

Unity Day . . . . September the eleventh
(General Laws, Chapter 6, Section 15SSSS)

Endangered Species Day . . . . Second Saturday in September
(General Laws, Chapter 6, Section 15EE)

Commodore John Barry Day. . . . . September the thirteenth
(General Laws, Chapter 6, Section 12E)

Constitution Day . . . . September the seventeenth
(General Laws, Chapter 6, Section 15A)

Native American Day . . . . Third Friday in September
(General Laws, Chapter 6, Section 12VV)

POW/MIA Day . . . . Third Friday in September
(General Laws, Chapter 6, Section 15BBB)

Myositis Awareness Day . . . . September the twenty-first
(General Laws, Chapter 6, Section 15TTTT)

Cystic Fibrosis Week . . . . Third full week in September
(General Laws, Chapter 6, Section 15K)

Mitochondrial Disease Awareness Week. . . third full week in September
(General Laws, Chapter 6, Section 15GGGGG)

National Hunting and
Fishing Day . . . . Fourth Saturday in September
(General Laws, Chapter 6, Section 15W)

Pro-Life Month . . . . Month of October
(General Laws, Chapter 6, Section 15FF)

Lupus Awareness Month . . . . Month of October
(General Laws, Chapter 6, Section 15LLL)

Head Injury Awareness Month . . . . Month of October
(General Laws, Chapter 6, Section 15VVV)

Polish American Heritage Month . . . . Month of October
(General Laws, Chapter 6, Section 15WWW)

Italian-American Heritage Month . . . . Month of October
(General Laws, Chapter 6, Section 15EEEE)

Employ Handicapped
Persons Week . . . . First Week in October
(General Laws, Chapter 6, Section 15F)

Employee Involvement and
Ownership Week . . . . First week in October
(General Laws, Chapter 6, Section 15HHH)

Eddie Eagle Gun Safety Week . . . . First week in October
(General Laws, Chapter 6, Section 15ZZZ)

American Education Week . . . . One week in either
October or November
(General Laws, Chapter 6, Section 12G)

Social Justice for Ireland Day . . . . First Saturday in October
(General Laws, Chapter 6, Section 15U)

Senior Citizens' Day . . . . First Sunday in October
(General Laws, Chapter 6, Section 12T)

Independent Living Center Day . . . . First Sunday in October
(General Laws, Chapter 6, Section 15III)

Fire Prevention Week . . . . Date fixed by Fire Marshal

Town Meeting Day . . . . October the eighth
(General Laws, Chapter 6, Section 15PP)

Leif Ericson Day . . . . October the eighth
(General Laws, Chapter 6, Section 15YY)

Home Composting
Recognition Week. . . . . Second week in October
(General Laws, Chapter 6, Section 15UUU)

Pulaski Day . . . . October the eleventh
(General Laws, Chapter 6, Section 12B)

Columbus Day . . . . Second Monday in October
(General Laws, Chapter 6, Section 12V)

White Cane Safety Day . . . . October the fifteenth
(General Laws, Chapter 6, Section 15V)

Arthritis Awareness Day . . . . Third Sunday in October
(General Laws, Chapter 6, Section 15KKKK)

United Nations Day . . . . October the twenty-fourth
(General Laws, Chapter 6, Section 12N)

State Constitution Day . . . . October the twenty-fifth
(General Laws, Chapter 6, Section 14B)

Statue of Liberty
Awareness Day . . . . October the twenty-sixth
(General Laws, Chapter 6, Section 12HH)

Youth Honor Day . . . . October the thirty-first
(General Laws, Chapter 6, Section 15G)

Robert Frost Day . . . . Fourth Saturday in October
(General Laws, Chapter 6, Section 15CCCC)

Thrombosis Awareness Month . . . . Month of November
(General Laws, Chapter 6, Section 15EEEEE)

Lung Cancer Awareness Month . . . . Month of November
(General Laws, Chapter 6, Section JJJJJ)

Hospice Week . . . . Second week in November
(General Laws, Chapter 6, Section 15SS)

Geographic Education
Awareness Week . . . . Second week of November
(General Laws, Chapter 6, Section 15MMM)

United States Marine
Corps Day . . . . November the tenth
(General Laws, Chapter 6, Section 15Q)

Armistice Day . . . . November the eleventh
(General Laws, Chapter 6, Section 15R)

Veterans Day . . . . November the eleventh
(General Laws, Chapter 6, Section 12A)

Silver-Haired Legislature Days .... The Third Wednesday, Thursday and Friday in November
(General Laws, Chapter 6, Section 15DDD)

Philanthropy Day .... November the fifteenth
(General Laws, Chapter 6, Section 15HHHHH)

Thanksgiving Day .... Customarily the fourth Thursday in November
(Proclamation not required by law but customarily issued by the Governor)

Candle Safety Day .... Second Monday in December
(General Laws, Chapter 6, Section 12XX)

John F. Kennedy Day .... Last Sunday in November
(General Laws, Chapter 6, Section 15L)

Disabled American Veterans' Hospital Day .... First Sunday in December
(General Laws, Chapter 6, Section 12T)

Pearl Harbor Day .... December the seventh
(General Laws, Chapter 6, Section 12DD)

Survivors of Victims of Homicide Awareness .... November twentieth to December twentieth
(General Laws, Chapter 6, Section 15HHHH)

Civil Rights Week .... December eighth to fourteenth
(General Laws, Chapter 6, Section 12P)

Army and Navy Union Day .... Second Saturday in December
(General Laws, Chapter 6, Section 12T)

Human Rights Day .... December the tenth
(General Laws, Chapter 6, Section 12NN)

Bill of Rights Day .... December the fifteenth
(General Laws, Chapter 6, Section 15AAAAA)

Samuel Slater Day .... December the twentieth
(General Laws, Chapter 6, Section 15PPP)

Leopoldville Disaster Remembrance Day ..... December twenty-fourth
(General Laws, Chapter 6, Section 15DDDDD)

Clara Barton Days .... Week commencing December twenty-fifth
(General Laws, Chapter 6, Section 15YYY)

Veteran Fireman's Muster Day . . . . Date fixed by Governor when issued
(General Laws, Chapter 6, Section 12L)

Boy Scout Week . . . . Date fixed by Governor
(General Laws, Chapter 6, Section 15H)

Traffic Safety Week . . . . Date fixed by Governor
(General Laws, Chapter 6, Section 15P)

CHAPTER 140 of the Acts of 1934.

AN ACT PROVIDING FACILITIES FOR THE PARKING OF MOTOR VEHICLES NEAR THE STATE HOUSE BY MEMBERS AND OFFICERS OF THE GENERAL COURT.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The traffic commission of the city of Boston is hereby directed to provide in its regulations prohibiting or restricting the parking and standing of motor vehicles on public ways in said city that they shall not, so far as they relate to the easterly side of Hancock street between Mount Vernon and Derne streets, the southerly side of Derne street between Hancock and Bowdoin streets, and the westerly side of Bowdoin street between Mount Vernon and Beacon streets, apply to motor vehicles owned or used by members and officers of the general court.

SECTION 2. This act shall take effect upon its passage.

CHAPTER 183 of the Acts of 1962.

AN ACT REVISING THE LAW RELATIVE TO PARKING ON THE STATE HOUSE GROUNDS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the establishment of rules and regulations relative to the parking of motor vehicles on the state house grounds in order to relieve traffic congestion in the vicinity of the state house, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The parking area on the state house grounds, including that portion of Mount Vernon street between the westerly curb of Bowdoin street and the easterly curb of Hancock street, is hereby designated for the use of members of the general court, subject to such rules and regulations as the committee on rules of the two branches acting concurrently may adopt and for the use of such other persons as said committee may by such rules and regulations prescribe. Whoever violates any such rule or regulation shall be punished by a fine of not more than ten dollars for each such violation. The capitol police shall enforce said rules and regulations and for said purpose may exercise the powers conferred on them by section twelve of chapter eight of the General Laws.

SECTION 2. Chapter two hundred and eleven of the acts of nineteen hundred and fifty-one is hereby repealed.

DISTRICTS

CONGRESSIONAL, COUNCILLOR, SENATORIAL AND REPRESENTATIVE

CONGRESSIONAL DISTRICTS

[As established by Chapter 29 of the Acts of 2002. See General Laws, Chapter 57.]

The United States census of 2000 was the basis of the apportionment.

DISTRICT NO. 1.

Cities and Towns	Population 2000
Berkshire County.	
Adams	8,809
Alford	399
Becket	1,755
Cheshire	3,401
Clarksburg	1,686
Dalton	6,892
Egremont	1,345
Florida	676
Great Barrington	7,527
Hancock	721
Hinsdale	1,872
Lanesborough	2,990
Lee	5,985
Lenox	5,077
Monterey	934
Mount Washington	130
New Ashford	247
New Marlborough	1,494
NORTH ADAMS	14,681
Otis	1,365
Peru	821
PITTSFIELD	45,793
Richmond	1,604
Sandisfield	824
Savoy	705
Sheffield	3,335
Stockbridge	2,276
Tyringham	350
Washington	544
West Stockbridge	1,416
Williamstown	8,424
Windsor	875
Franklin County.	
Ashfield	1,800
Bernardston	2,155
Buckland	1,991
Charlemont	1,358
Colrain	1,813
Conway	1,809
Deerfield	4,750
Erving	1,467
Gill	1,363
Greenfield	18,168
Hawley	336
Heath	805
Leverett	1,663
Leyden	772
Monroe	93
Montague	8,489
New Salem	929
Northfield	2,951
Orange	7,518
Rowe	351
Shelburne	2,058
Shutesbury	1,810
Sunderland	3,777

DISTRICT NO. 1. — *Concluded.*

Cities and Towns	Population 2000	Cities and Towns	Population 2000
Warwick	750	*Middlesex County.*	
Wendell	986	Ashby	2,845
Whately	1,573	Pepperell	11,142
		Townsend	9,198
Hampden County.			
Blandford	1,214	*Worcester County.*	
Chester	1,308	Ashburnham	5,546
Granville	1,521	Athol	11,299
HOLYOKE	39,838	Barre	5,113
Montgomery	654	FITCHBURG	39,102
Russell	1,657	GARDNER	20,770
Southwick	8,835	Hardwick	2,622
Tolland	426	Hubbardston	3,909
WESTFIELD	40,072	LEOMINSTER	41,303
West Springfield	27,899	Lunenburg	9,401
		New Braintree	927
Hampshire County.		Oakham	1,673
Amherst	34,874	Petersham	1,180
Belchertown	12,968	Phillipston	1,621
Chesterfield	1,201	Royalston	1,254
Cummington	978	Sterling	7,257
EASTHAMPTON	15,994	Templeton	6,799
Goshen	921	West Brookfield	3,804
Granby	6,132	Westminster	6,907
Hatfield	3,249	Winchendon	9,611
Huntington	2,174		
Middlefield	542	Totals	634,479
Pelham	1,403		
Plainfield	589		
Southampton	5,387		
Ware	9,707		
Westhampton	1,468		
Williamsburg	2,427		
Worthington	1,270		

[John W. Olver.]

DISTRICT NO. 2.

CITIES AND TOWNS	Population 2000	CITIES AND TOWNS	Population 2000
Hampden County.		Hopedale	5,907
Agawam	28,144	Leicester	10,471
Brimfield	3,339	Mendon	5,286
CHICOPEE	54,653	Milford	26,799
East Longmeadow	14,100	Millbury	12,784
Hampden	5,171	Millville	2,724
Holland	2,407	North Brookfield	4,683
Longmeadow	15,633	Northbridge	13,182
Ludlow	21,209	Oxford	13,352
Monson	8,359	Southbridge	17,214
Palmer	12,497	Spencer	11,691
SPRINGFIELD	152,082	Sturbridge	7,837
Wales	1,737	Sutton	8,250
Wilbraham	13,473	Upton	5,642
		Uxbridge	11,156
Hampshire County.		Warren	4,776
Hadley	4,793	Webster	16,415
NORTHAMPTON	28,978		
South Hadley	17,196	Totals	634,444
Norfolk County.			
Bellingham	15,314		
Worcester County.			
Blackstone	8,804		
Brookfield	3,051		
Charlton	11,263		
Douglas	7,045		
Dudley	10,036		
East Brookfield	2,097		
Grafton	14,894		

[Richard E. Neal.]

DISTRICT NO. 3.

Cities and Towns	Population 2000	Cities and Towns	Population 2000
Bristol County.		*Worcester County.*	
ATTLEBORO	42,068	Auburn	15,901
FALL RIVER:		Boylston	4,008
Ward 1	10,674	Clinton	13,435
Ward 2	10,213	Holden	15,621
Ward 3	10,288	Northborough	14,013
Ward 4, Precinct A	3,397	Paxton	4,386
Ward 4, Precinct B	3,135	Princeton	3,353
Ward 5, Precinct A	3,428	Rutland	6,353
Ward 5, Precinct B	3,413	Shrewsbury	31,640
Ward 6, Precinct B	3,373	Southborough	8,781
Ward 6, Precinct C	3,278	West Boylston	7,481
Ward 8, Precinct D	2,505	Westborough	17,997
North Attleborough	27,143	WORCESTER	172,648
Rehoboth	10,172		
Seekonk	13,425	Totals	634,585
Somerset	18,234		
Swansea	15,901		
Middlesex County.			
Ashland	14,674		
Holliston	13,801		
Hopkinton	13,346		
MARLBOROUGH	36,255		
Norfolk County.			
Franklin	29,560		
Medway	12,448		
Plainville	7,683		
Wrentham	10,554		

[James P. McGovern.]

DISTRICT NO. 4.

Cities and Towns	Population 2000
Bristol County.	
Acushnet	10,161
Berkley	5,749
Dartmouth	30,666
Dighton	6,175
Fairhaven	16,159
FALL RIVER:	
Ward 4, Precinct C	3,223
Ward 5, Precinct C	3,175
Ward 6, Precinct A	3,167
Ward 7	10,186
Ward 8, Precinct A	2,507
Ward 8, Precinct B	2,621
Ward 8, Precinct C	2,709
Ward 9	10,646
Freetown	8,472
Mansfield	22,414
NEW BEDFORD	93,768
Norton	18,036
Raynham	11,739
TAUNTON	55,976
Westport	14,183
Middlesex County.	
NEWTON	83,829
Sherborn	4,200
Norfolk County.	
Brookline	57,107
Dover	5,558
Foxborough	16,246
Millis	7,902
Norfolk	10,460
Sharon	17,408
Wellesley	26,613
Plymouth County.	
Halifax	7,500
Lakeville	9,821
Marion	5,123
Mattapoisett	6,268
Middleborough	19,941
Rochester	4,581
Wareham	20,335
Totals	634,624

[Barney Frank.]

DISTRICT NO. 5.

CITIES AND TOWNS	Population 2000	CITIES AND TOWNS	Population 2000
Essex County.		Sudbury	16,841
Andover	31,247	Tewksbury	28,851
HAVERHILL	58,969	Tyngsborough	11,081
LAWRENCE	72,043	Wayland:	
Methuen	43,789	Precinct 1	3,165
		Precinct 3	3,292
Middlesex County.		Precinct 4	3,260
Acton	20,331	Westford	20,754
Ayer	7,287		
Billerica	38,981	*Worcester County.*	
Boxborough	4,868	Berlin	2,380
Carlisle	4,717	Bolton	4,148
Chelmsford	33,858	Harvard	5,981
Concord	16,993	Lancaster	7,380
Dracut	28,562		
Dunstable	2,829	Total	635,326
Groton	9,547		
Hudson	18,113		
Littleton	8,184		
LOWELL	105,167		
Maynard	10,433		
Shirley	6,373		
Stow	5,902		

[Martin T. Meehan.]

DISTRICT NO. 6.

CITIES AND TOWNS	Population 2000	CITIES AND TOWNS	Population 2000
Essex County.		Groveland	6,038
Amesbury	16,450	Hamilton	8,315
BEVERLY	39,862	Ipswich	12,987
Boxford	7,921	LYNN	89,050
Danvers	25,212	Lynnfield	11,542
Essex	3,267	Manchester-by-the-Sea	5,228
Georgetown	7,377	Marblehead	20,377
GLOUCESTER	30,273	Merrimac	6,138

DISTRICT NO. 6 — *Concluded.*

Cities and Towns	Population 2000	Cities and Towns	Population 2000
Middleton	7,744	West Newbury	4,149
Nahant	3,632		
Newbury	6,717	*Middlesex County.*	
NEWBURYPORT	17,189	Bedford	12,595
North Andover	27,202	Burlington	22,876
PEABODY	48,129	North Reading	13,837
Rockport	7,767	Reading	23,708
Rowley	5,500	Wakefield	24,804
SALEM	40,407	Wilmington	21,363
Salisbury	7,827		
Saugus	26,078	Totals	636,554
Swampscott	14,412		
Topsfield	6,141		
Wenham	4,440		

[John F. Tierney.]

DISTRICT NO. 7.

Cities and Towns	Population 2000	Cities and Towns	Population 2000
Middlesex County.		Weston	11,469
Arlington	42,389	Winchester	20,810
Belmont	24,194	WOBURN	37,258
EVERETT	38,037		
Framingham	66,910	*Suffolk County.*	
Lexington	30,355	REVERE	47,283
Lincoln	8,056	Winthrop	18,303
MALDEN	56,340		
MEDFORD	55,765	Totals	634,287
MELROSE	27,134		
Natick	32,170		
Stoneham	22,219		
WALTHAM	59,226		
Watertown	32,986		
Wayland:			
Precinct 2	3,383		

[Edward J. Markey.]

DISTRICT NO. 8.

Cities and Towns	Population 2000
Middlesex County.	
CAMBRIDGE	101,355
SOMERVILLE	77,478
Suffolk County.	
BOSTON:	
Ward 1	39,053
Ward 2	15,195
Ward 3, Precincts 1, 2, 3, 4, 7 and 8	19,115
Ward 4	31,682
Ward 5, Precincts 1, 2, 6, 7, 8, 9 and 10	28,386
Ward 7, Precinct 10	2,439
Ward 8	11,645
Ward 9	14,774
Ward 10	20,450
Ward 11	18,685
Ward 12	16,922
Ward 13, Precincts 1, 2, 4, 5 and 6	8,689
Ward 14	32,488
Ward 15, Precincts 1, 2, 3, 4, 5, 7, 8 and 9	18,074
Ward 16, Precincts 1 and 3	4,822
Ward 17, Precincts 1, 2, 3, 5, 6, 7, 8, 9, 10, 11 and 12	20,117
Ward 18, Precincts 1, 2, 3, 4, 5, 6, 7, 8, 13 14, 15 and 21	32,385
Ward 19, Precincts 1, 3, 4, 5, 6, 8 and 9	10,474
Ward 21	45,868
Ward 22	29,659
CHELSEA	35,080
Totals	634,835

[Michael E. Capuano.]

DISTRICT NO. 9.

Cities and Towns	Population 2000
Bristol County.	
Easton	22,299
Norfolk County.	
Avon	4,443
Braintree	33,828
Canton	20,775
Dedham	23,464
Holbrook	10,785
Medfield	12,273
Milton	26,062
Needham	28,911
Norwood	28,587
Randolph	30,963
Stoughton	27,149
Walpole	22,824
Westwood	14,117
Plymouth County.	
Bridgewater	25,185
BROCKTON	94,304
East Bridgewater	12,974

DISTRICT NO. 9 — *Concluded.*

Cities and Towns	Population 2000	Cities and Towns	Population 2000
Hanson:		2, 4, 5, 6, 7, 8, 9, 10,	
Precinct 1	3,177	11 and 12	
Precinct 3	3,207	Ward 17, Precincts	20,759
West Bridgewater	6,634	4, 13 and 14	
Whitman	13,882	Ward 18, Precincts	6,425
Suffolk County.		9, 10, 11, 12, 16, 17,	
Boston:		18, 19, 20, 22 and 23	
Ward 3, Precincts		Ward 19, Precincts 2,	22,895
5 and 6		7, 10, 11, 12 and 13	
Ward 5, Precincts	9,052	Ward 20	12,958
3, 4, 5 and 11			38,108
Ward 6	7,113	Totals	
Ward 7, Precincts 1,2,	15,662		634,062
3, 4, 5, 6, 7, 8 and 9			
Ward 13, Precincts	17,926		
3, 7, 8, 9 and 10			
Ward 15, Precinct 6.	11,976		
Ward 16, Precincts	1,345		

[Stephen F. Lynch.]

DISTRICT NO. 10.

Cities and Towns	Population 2000	Cities and Towns	Population 2000
Barnstable County.		Truro	2,087
Barnstable	47,821	Wellfleet	2,749
Bourne	18,721	Yarmouth	24,807
Brewster	10,094		
Chatham	6,625	*Dukes County.*	
Dennis	15,973	Aquinnah	344
Eastham	5,453	Chilmark	843
Falmouth	32,660	Edgartown	3,779
Harwich	12,386	Gosnold	86
Mashpee	12,946	Oak Bluffs	3,713
Orleans	6,341	Tisbury	3,755
Provincetown	3,431	West Tisbury	2,467
Sandwich	20,136		

DISTRICT NO. 10 — *Concluded.*

CITIES AND TOWNS	Population 2000	CITIES AND TOWNS	Population 2000
Nantucket County.		Hingham	19,882
Nantucket	9,520	Hull	11,050
		Kingston	11,780
Norfolk County.		Marshfield	24,324
Cohasset	7,261	Norwell	9,765
QUINCY	88,025	Pembroke	16,927
Weymouth	53,988	Plymouth	51,701
		Plympton	2,637
Plymouth County.		Rockland	17,670
Abington	14,605	Scituate	17,863
Carver	11,163		
Duxbury	14,248	Totals	635,901
Hanover	13,164		
Hanson:			
Precinct 2	3,111		

[William D. Delahunt.]

COUNCILLOR DISTRICTS.

(With Councillors for 2011-2012)

[As established by Chapter 126, Section 2, of the Acts of 2001, based on the Federal Census of 2000. See General Laws, Chapter 57.]

I. The First Bristol and Plymouth, the Second Bristol and Plymouth, the Cape and Islands, the Plymouth and Barnstable and the First Plymouth and Bristol Senatorial Districts.

Barnstable, Bourne, Brewster, Chatham, Dennis, Eastham, Falmouth, Harwich, Mashpee, Orleans, Provincetown, Sandwich, Truro, Wellfleet and Yarmouth, *in the county of Barnstable*; Acushnet, Berkley, Dartmouth, Dighton, Fairhaven, FALL RIVER, Freetown, NEW BEDFORD, Raynham, Somerset, Swansea, TAUNTON, and Westport, *in the county of Bristol*; Aquinnah, Chilmark, Edgartown, Gosnold, Oak Bluffs, Tisbury and West Tisbury, *in the county of Dukes County*; Nantucket, *in the county of Nantucket*; and Bridgewater, Carver, Kingston, Lakeville, Marion, Mattapoisett, Middleborough, Pembroke, Plymouth, Plympton, Rochester and Wareham, *in the county of Plymouth*. [Charles Oliver Cipollini, Fall River.]

II. The Bristol and Norfolk, the Second Middlesex and Norfolk, the Norfolk, Bristol and Middlesex, the Norfolk, Bristol and Plymouth and the Suffolk and Norfolk Senatorial Districts.

ATTLEBORO, Easton, precincts 3 to 6, inclusive, Mansfield, North Attleborough, Norton, Rehoboth and Seekonk, *in the county of Bristol*; Ashland, Framingham, Holliston, Hopkinton, Natick, Sherborn and Wayland, *in the county of Middlesex*; Avon, Braintree, precincts 1, 3, 4 and 5, Canton, Dedham, Dover, Foxborough, Franklin, Medfield, Medway, Millis, Milton, Needham, Norfolk, Norwood, Plainville, Randolph, Sharon, Stoughton, Walpole, Wellesley, precincts B, F and G, Westwood and Wrentham, *in the county of Norfolk*; East Bridgewater, precinct 4, and West Bridgewater, *in the county of Plymouth*; BOSTON, ward 18, precincts 7 to 20, inclusive, 22 and 23, ward 19, precincts 10 to 13, inclusive, and ward 20, *in the county of Suffolk*. [Kelly A. Timilty, Dedham.]

III. The First Middlesex, the Third Middlesex, the First Middlesex and Norfolk, the Middlesex and Worcester and the Second Suffolk and Middlesex Senatorial Districts.

Acton, Ayer, Bedford, Belmont, Boxborough, CAMBRIDGE, ward 9, precincts 2 and 3, ward 10, precincts 1 and 3, and ward 11, Carlisle, Chelmsford, Concord, Dunstable, Groton, Hudson, Lexington, precincts 3, 8 and 9, Lincoln, Littleton, LOWELL, MARLBOROUGH, Maynard, NEWTON, Pepperell, Shirley, Stow, Sudbury, Tyngsborough, WALTHAM, Watertown, Westford and Weston, *in the county of Middlesex*; Brookline and Wellesley, precincts A and C to E, inclusive, *in the county of Norfolk*; BOSTON, ward 4, precincts 7 and 10, ward 5, precincts 2, 9 and 10, ward 21, precincts 1 to 3, inclusive, and 5, and 8 to 16, inclusive, and ward 22, precincts 3 and 4, and 6 to 13, inclusive, *in the county of Suffolk*; and Harvard, Northborough, precinct 3, Southborough and Westborough, *in the county of Worcester*. [Marilyn M. Petitto Devaney, Watertown.]

IV. The Norfolk and Plymouth, the Second Plymouth and Bristol, the Plymouth and Norfolk, the First Suffolk and the Second Suffolk Senatorial Districts.

Easton, precincts 1 and 2, *in the county of Bristol;* Braintree, precincts 2 and 6 to 12, inclusive, Cohasset, Holbrook, QUINCY, and Weymouth, *in the county of Norfolk*; BOSTON, ward 1, precinct 15, ward 3, precincts 7 and 8, ward 4, precincts 1 to 6, inclusive, 8 and 9, ward 5, precincts 1, 4 to 8, inclusive, and 11, ward 6, ward 7, ward 8, ward 9, ward 10, ward 11, ward 12, ward 13, ward 14, ward 15, ward 16, ward 17, ward 18, precincts 1 to 6, inclusive, and 21, ward 19, precincts 1 to 9, inclusive, *in the county of Suffolk*; and Abington, BROCKTON, Duxbury, East Bridgewater, precincts 1 to 3, inclusive, Halifax, Hanover, Hanson, Hingham, Hull, Marshfield, Norwell, Rockland, Scituate and Whitman, *in the county of Plymouth*. [Christopher A. Iannella, Jr., Boston.]

V. The First Essex, the Second Essex, the First Essex and Middlesex, the Second Essex and Middlesex and the Third Essex and Middlesex Senatorial Districts.

Amesbury, Andover, BEVERLY, Boxford, Danvers, Essex, Georgetown, GLOUCESTER, Groveland, Hamilton, HAVERHILL, Ipswich, LAWRENCE, LYNN, Manchester-by-the-Sea, Marblehead, Merrimac, Methuen, Middleton, Nahant, Newbury, NEWBURYPORT, North Andover, PEABODY, Rockport, Rowley, SALEM, Salisbury, Saugus, precincts 1, 3 to 5, inclusive, 7 to 9, inclusive, Swampscott, Topsfield, Wenham and West Newbury, *in the county of Essex*; and Dracut, MELROSE, wards 6 and 7, North Reading, Tewksbury and Wilmington, *in the county of Middlesex*. [Mary-Ellen Manning, Salem.]

VI. The Second Middlesex, the Fourth Middlesex, the Middlesex and Essex, the Middlesex, Suffolk and Essex and the First Suffolk and Middlesex Senatorial Districts.

Lynnfield and Saugus, precincts 2, 6 and 10, *in the county of Essex*; Arlington, Billerica, Burlington, CAMBRIDGE, ward 1, ward 2, ward 3, ward 4, ward 5, ward 6, ward 7, ward 8, ward 9, precinct 1, ward 10, precinct 2, EVERETT, Lexington, precincts 1 and 2 and 4 to 7, inclusive, MALDEN, MEDFORD, MELROSE, wards 1 to 5, inclusive, Reading, SOMERVILLE, Stoneham, Wakefield, WOBURN and Winchester, *in the county of Middlesex*; and BOSTON, ward 1, precincts 1 to 14, inclusive, ward 2, ward 3, precincts 1 to 6, inclusive, ward 5, precinct 3, ward 21, precincts 4, 6 and 7 and ward 22, precincts 1, 2 and 5, CHELSEA, REVERE, and Winthrop, *in the county of Suffolk.* [Terrence Kennedy, Lynnfield.]

VII. The First Worcester, the Second Worcester, the Worcester, Hampden, Hampshire and Franklin, the Worcester and Middlesex and the Worcester and Norfolk Senatorial Districts.

Orange and Warwick, *in the county of Franklin*; Brimfield, Holland, Monson, Palmer and Wales, *in the county of Hampden*; Ware, *in the county of Hampshire*; Ashby and Townsend, *in the county of Middlesex*; Bellingham, *in the county of Norfolk*; Ashburnham, Athol, Auburn, Barre, Berlin, Blackstone, Bolton, Boylston, Brookfield, Charlton, Clinton, Douglas, Dudley, East Brookfield, FITCHBURG, GARDNER, Grafton, Hardwick, Holden, Hopedale, Hubbardston, Lancaster, Leicester, LEOMINSTER, Lunenburg, Mendon, Milford, Millbury, Millville, New Braintree, North Brookfield, Northborough, precincts 1, 2 and 4, Northbridge, Oakham, Oxford, Paxton, Petersham, Phillipston, Princeton, Royalston, Rutland, Shrewsbury, Southbridge, Spencer, Sterling, Sturbridge, Sutton, Templeton, Upton, Uxbridge, Warren, Webster, West Boylston, West Brookfield, Westminster, Winchendon and WORCESTER, *in the county of Worcester*. [Jennie Caissie, Oxford.]

VIII. The Berkshire, Hampshire and Franklin, the Hampden, the First Hampden and Hampshire, the Second Hampden and Hampshire and the Hampshire and Franklin Senatorial Districts.

Adams, Alford, Becket, Cheshire, Clarksburg, Dalton, Egremont, Florida, Great Barrington, Hancock, Hinsdale, Lanesborough, Lee, Lenox, Monterey, Mount Washington, New Ashford, New Marlborough, NORTH ADAMS, Otis, Peru, PITTSFIELD, Richmond, Sandisfield, Savoy, Sheffield, Stockbridge, Tyringham, Washington, West Stockbridge, Williamstown and Windsor, *in the county of Berkshire*; Ashfield, Bernardston, Buckland, Charlemont, Colrain, Conway, Deerfield, Erving, Gill, Greenfield, Hawley, Heath, Leverett, Leyden, Monroe, Montague, New Salem, Northfield, Rowe, Shelburne, Shutesbury, Sunderland, Wendell and Whately, *in the county of Franklin*; Agawam, Blandford, Chester, CHICOPEE, East Longmeadow, Granville, Hampden, HOLYOKE, Longmeadow, Ludlow, Montgomery, Russell, Southwick, SPRINGFIELD, Tolland, West Springfield, WESTFIELD and Wilbraham, *in the county of Hampden*; Amherst, Belchertown, Chesterfield, Cummington, Easthampton, Goshen, Granby, Hadley, Hatfield, Huntington, Middlefield, NORTHAMPTON, Pelham, Plainfield, South Hadley, Southampton, Westhampton, Williamsburg and Worthington, *in the county of Hampshire*. [Thomas T. Merrigan, Greenfield.]

SENATORIAL DISTRICTS

(With Senators for 2009-2010)

[As established by Chapter 126, Section 3, of the Acts of 2001, based on the Federal census of 2000. See General Laws, Chapter 57.]

[Average ratio for the State, Inhabitants, 158,727.]

BERKSHIRE, HAMPSHIRE AND FRANKLIN. — Adams, Alford, Becket, Cheshire, Clarksburg, Dalton, Egremont, Florida, Great Barrington, Hancock, Hinsdale, Lanesborough, Lee, Lenox, Monterey, Mount Washington, New Ashford, New Marlborough, NORTH ADAMS, Otis, Peru, PITTSFIELD, Richmond, Sandisfield, Savoy, Sheffield, Stockbridge, Tyringham, Washington, West Stockbridge, Williamstown and Windsor, *in the county of Berkshire*; Chesterfield, Cummington, Goshen, Huntington, Middlefield, Plainfield, Westhampton, Williamsburg and Worthington, *in the county of Hampshire*; and Ashfield, Charlemont, Conway, Hawley, Heath, Monroe and Rowe, *in the county of Franklin*. [Benjamin B. Downing, Pittsfield.]

BRISTOL AND NORFOLK. — ATTLEBORO, ward 3, precinct B, ward 4, precincts A and B, ward 5, precincts A and B, ward 6, precincts A and B, Mansfield, Norton, Rehoboth and Seekonk, *in the county of Bristol;* and Dover, Foxborough, Medfield, Sharon, precincts 1, 4 and 5, and Walpole, *in the county of Norfolk*. James E. Timilty, Walpole.]

FIRST BRISTOL AND PLYMOUTH. — FALL RIVER, Freetown, Somerset, Swansea and Westport, *in the county of Bristol;* and Lakeville and Rochester, *in the county of Plymouth*. [Michael J. Rodrigues, Westport.]

SECOND BRISTOL AND PLYMOUTH. — NEW BEDFORD, Acushnet, Dartmouth and Fairhaven, i*n the county of Bristol*; and Mattapoisett, *in the county of Plymouth*. [Mark C. Montigny, New Bedford.]

CAPE AND ISLANDS. — Barnstable, precincts 1 to 9, inclusive, and 13, Brewster, Chatham, Dennis, Eastham, Harwich, Mashpee, Orleans, Provincetown, Truro, Wellfleet and Yarmouth, *in the county of Barnstable*; Aquinnah, Chilmark, Edgartown, Gosnold, Oak Bluffs, Tisbury and West Tisbury, *in the county of Dukes County*; and Nantucket, *in the county of Nantucket*. [Daniel A. Wolf, Harwich.]

FIRST ESSEX. — HAVERHILL, NEWBURYPORT, Amesbury, Merrimac, Methuen, North Andover, precincts 1, 4, 6 and 8, and Salisbury. [Steven A. Baddour, Methuen.]

SECOND ESSEX. — BEVERLY, PEABODY, SALEM, Danvers and Topsfield. [Frederick E. Berry, Peabody.]

FIRST ESSEX AND MIDDLESEX. — GLOUCESTER, Boxford, Essex, Georgetown, Groveland, Hamilton, Ipswich, Manchester-by-the-Sea, Middleton, Newbury, North Andover, precincts 2, 3, 5 and 7, Rockport, Rowley, Wenham and West Newbury, *in the county of Essex;* and North Reading and Wilmington, *in the county of Middlesex.* [Bruce E. Tarr, Gloucester.]

SECOND ESSEX AND MIDDLESEX. — LAWRENCE, and Andover, *in the county of Essex*; and Dracut and Tewksbury, *in the county of Middlesex.* [Barry R. Finegold, Andover.]

THIRD ESSEX AND MIDDLESEX. — LYNN, Marblehead, Nahant, Saugus, precincts 1, 3 to 5, inclusive, 7 to 9, inclusive, and Swampscott, *in the county of Essex*; and MELROSE, wards 6 and 7, *in the county of Middlesex.* [Thomas M. McGee, Lynn.]

HAMPDEN — CHICOPEE, ward 2, precincts A to D, inclusive, ward 4, precincts A to C, inclusive, ward 5, precincts A and B, and SPRINGFIELD, wards 1, 3 and 4, ward 5, precincts A and B, ward 6, and Agawam and West Springfield. [James T. Welch ,West Springfield.]

FIRST HAMPDEN AND HAMPSHIRE. — SPRINGFIELD, ward 2, ward 5, precincts C to H, inclusive, wards 7 and 8, East Longmeadow, Hampden, Longmeadow, Ludlow and Wilbraham, *in the county of Hampden*; and Belchertown, precincts B and C, and Granby, *in the county of Hampshire.* [Gale D. Candaras, Wilbraham.]

SECOND HAMPDEN AND HAMPSHIRE. — CHICOPEE, ward 1, precincts A and B, ward, 3, precincts A to C, inclusive, ward 6, precincts A and B, ward 7, precincts A and B, ward 8, precincts A and B, ward 9, precincts A and B, HOLYOKE, WESTFIELD, Blandford, Chester, Granville, Montgomery, Russell, Southwick and Tolland, *in the county of Hampden*; and EASTHAMPTON and Southampton, *in the county of Hampshire.* [Michael R. Knapik, Westfield.]

HAMPSHIRE AND FRANKLIN. — NORTHAMPTON, Amherst, Belchertown, precincts A and D, Hadley, Hatfield, Pelham and South Hadley, *in the county of Hampshire*; and Bernardston, Buckland, Colrain, Deerfield, Erving, Gill, Greenfield, Leverett, Leyden, Montague, New Salem, Northfield, Shelburne, Shutesbury, Sunderland, Wendell and Whately, *in the county of Franklin.* [Stanley C. Rosenberg, Amherst.]

FIRST MIDDLESEX. — LOWELL, Dunstable, Groton, Pepperell, Tyngsborough and Westford. [Eileen M. Donoghue, Lowell.]

SECOND MIDDLESEX. — MEDFORD, SOMERVILLE, ward 1, precincts 2 and 3, ward 2, precincts 2 and 3, and wards 3 to 7, inclusive, WOBURN, ward 2, and Winchester. [Charles E. Shannon, Jr., Winchester.] (Deceased April 5, 2006). [Patricia D. Jehlen, Somerville.][1]

THIRD MIDDLESEX. — WALTHAM, Bedford, Carlisle, Chelmsford, Concord, Lexington, precincts 3, 8 and 9, Lincoln, Sudbury, precincts 1 and 4, and Weston. [Susan C. Fargo, Lincoln.]

FOURTH MIDDLESEX. — WOBURN, ward 1, wards 3 to 7, inclusive, Arlington, Billerica, Burlington and Lexington, precincts 1 and 2 and 4 to 7, inclusive. [Kenneth J. Donnelly, Arlington.]

MIDDLESEX AND ESSEX. — MALDEN, MELROSE, wards 1 to 5, inclusive, Reading, Stoneham and Wakefield, *in the county of Middlesex;* and Lynnfield, *in the county of Essex.* [Katherine M. Clark, Melrose.]

FIRST MIDDLESEX AND NORFOLK. — NEWTON, *in the county of Middlesex*; and Brookline and Wellesley, precincts A and C to E, inclusive, *in the county of Norfolk.* [Cynthia Stone Creem, Newton.]

SECOND MIDDLESEX AND NORFOLK. — Ashland, Framingham, Holliston, Hopkinton and Natick, precincts 1 to 5, inclusive, and 8, *in the county of Middlesex*; Franklin, precincts 1 and 5 to 8, inclusive, and Medway, *in the county of Norfolk.* [Karen E. Spilka, Ashland.]

MIDDLESEX, SUFFOLK AND ESSEX. — CAMBRIDGE, ward 3, precinct 2, wards 6 and 7, ward 8, precincts 1 and 2, ward 9, precinct 1, ward 10, precinct 2, EVERETT and SOMERVILLE, ward 1, precinct 1, ward 2, precinct 1, *in the county of Middlesex*; BOSTON, ward 2, ward 21, precincts 4, 6 and 7, ward 22, precincts 1, 2 and 5, CHELSEA and REVERE, ward 6, *in the county of Suffolk*; and Saugus, precincts 2, 6 and 10, *in the county of Essex.* [Sal N. DiDomenico, Everett.]

MIDDLESEX AND WORCESTER. — MARLBOROUGH, Acton, Ayer, Boxborough, Hudson, Littleton, Maynard, Shirley, Stow and Sudbury, precincts 2, 3 and 5, *in the county of Middlesex*; and Harvard, Northborough, precinct 3, Southborough and Westborough, *in the county of Worcester.* [James B. Eldridge, Acton.]

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[1] Elected Sept. 27, 2005; qualified Oct. 12, 2005.

NORFOLK, BRISTOL AND MIDDLESEX. — Franklin, precincts 2 to 4, inclusive, Millis, Needham, Norfolk, Plainville, Wellesley, precincts B, F and G, and Wrentham, *in the county of Norfolk*; ATTLEBORO, wards 1 and 2, ward 3, precinct A, and North Attleborough, *in the county of Bristol*; and Natick, precincts 6, 7, 9 and 10, Sherborn and Wayland, *in the county of Middlesex.* [Richard J. Ross , Wrentham.]

NORFOLK, BRISTOL AND PLYMOUTH. — Avon, Braintree, precincts 1, 3, 4 and 5, Canton, Milton, Randolph, Sharon, precincts 2 and 3, and Stoughton, *in the county of Norfolk;* Easton, precincts 3 to 6, inclusive, *in the county of Bristol;* and East Bridgewater, precinct 4, and West Bridgewater, *in the county of Plymouth.* [Brian A. Joyce, Milton.]

NORFOLK AND PLYMOUTH. — QUINCY, Braintree, precincts 2 and 6 to 12, inclusive, and Holbrook, *in the county of Norfolk*; and Abington and Rockland, *in the county of Plymouth.* [John F. Keenan, Quincy.]

PLYMOUTH AND BARNSTABLE. — Kingston, Pembroke, Plymouth and Plympton, *in the county of Plymouth*; and Barnstable, precincts 10 to 12, inclusive, Bourne, Falmouth and Sandwich, *in the county of Barnstable.* [Therese Murray, Plymouth.]

FIRST PLYMOUTH AND BRISTOL. — Bridgewater, Carver, Marion, Middleborough and Wareham, *in the county of Plymouth;* and TAUNTON, Berkley, Dighton and Raynham, *in the county of Bristol.* [Marc R. Pacheco, Taunton.]

SECOND PLYMOUTH AND BRISTOL. — BROCKTON, East Bridgewater, precincts 1 to 3, inclusive, Halifax, Hanover, Hanson and Whitman, *in the county of Plymouth;* and Easton, precincts 1 and 2, *in the county of Bristol.* [Thomas P. Kennedy, Brockton.]

PLYMOUTH AND NORFOLK. — Duxbury, Hingham, Hull, Marshfield, Norwell and Scituate, *in the county of Plymouth*; and Cohasset and Weymouth, *in the county of Norfolk.* [Robert L. Hedlund, Weymouth.]

FIRST SUFFOLK. — BOSTON, ward 1, precinct 15, wards 6, 7 and 13, ward 14, precincts 1, 2, 4, 5 and 12 to 14, inclusive, wards 15, 16 and 17, ward 18, precincts 1 to 6, inclusive, and 21. [John A. Hart, Jr., Boston.]

SECOND SUFFOLK. — BOSTON, ward 3, precincts 7 and 8, ward 4, precincts 1 to 6, inclusive, 8 and 9, ward 5, precincts 1, 4 to 8, inclusive, and 11, wards 8, 9, 10, 11 and 12, ward 14, precincts 3, 6 to 11, inclusive, and ward 19, precincts 1 to 9, inclusive. [Sonia R. Chang-Diaz, Boston.]

FIRST SUFFOLK AND MIDDLESEX. — BOSTON, ward 1, precincts 1 to 14, inclusive, ward 3, precincts 1 to 6, inclusive, and ward 5, precinct 3, REVERE, wards 1 to 5, inclusive, and Winthrop, *in the county of Suffolk*; and CAMBRIDGE, wards 1 and 2, ward 3, precincts 1 and 3, wards 4 and 5, and ward 8, precinct 3, *in the county of Middlesex.* [Anthony W. Petruccelli, Boston.]

SECOND SUFFOLK AND MIDDLESEX. — BOSTON, ward 4, precincts 7 and 10, ward 5, precincts 2, 9 and 10, ward 21, precincts 1 to 3, inclusive, and 5, and 8 to 16, inclusive, ward 22, precincts 3 and 4, and 6 to 13, inclusive, *in the county of Suffolk;* CAMBRIDGE, ward 9, precincts 2 and 3, ward 10, precincts 1 and 3, and ward 11, and Belmont and Watertown, *in the county of Middlesex.* [Steven A. Tolman, Boston.]

SUFFOLK AND NORFOLK. — BOSTON, ward 18, precincts 7 to 20, inclusive, 22 and 23, ward 19, precincts 10 to 13, inclusive, and ward 20, *in the county of Suffolk;* and Dedham, Norwood and Westwood, *in the county of Norfolk.* [Michael F. Rush, Boston.]

FIRST WORCESTER. — WORCESTER, wards 1 to 4, inclusive, 9 and 10, Berlin, Boylston, Clinton, precincts 3 and 4, Holden, Northborough, precincts 1, 2 and 4, Paxton, Princeton and West Boylston. [Harriette L. Chandler, Worcester.]

SECOND WORCESTER. — WORCESTER, wards 5 to 8, inclusive, Auburn, Grafton, Leicester, Millbury, Shrewsbury and Upton. [Michael O. Moore, Millbury.]

WORCESTER, HAMPDEN, HAMPSHIRE AND FRANKLIN. — Ashburnham, Athol, Barre, Brookfield, Charlton, East Brookfield, Hardwick, Hubbardston, New Braintree, North Brookfield, Oakham, Petersham, Phillipston, Royalston, Rutland, Spencer, Sturbridge, Templeton, Warren, West Brookfield and Winchendon, *in the county of Worcester*; Brimfield, Holland, Monson, Palmer and Wales, *in the county of Hampden*; Ware, *in the county of Hampshire*; and Orange and Warwick, *in the county of Franklin.* [Stephen M. Brewer, Barre.]

WORCESTER AND MIDDLESEX. — FITCHBURG, GARDNER, LEOMINSTER, Bolton, Clinton, precincts 1 and 2, Lancaster, Lunenburg, Sterling and Westminster, *in the county of Worcester*; and Ashby and Townsend, *in the county of Middlesex.* [Jennifer L. Flanagan, Leominster.]

WORCESTER AND NORFOLK. — Blackstone, Douglas, Dudley, Hopedale, Mendon, Milford, Millville, Northbridge, Oxford, Southbridge, Sutton, Uxbridge and Webster, *in the county of Worcester*; and Bellingham, *in the county of Norfolk.* [Richard T. Moore, Uxbridge.]

REPRESENTATIVE DISTRICTS.*

[As established under authority of Chapter 125 of the Acts of 2001
and amended by Chapter 74 of the Acts of 2004.$^+$
See General Laws, Chapter 57, Section 4.]
One To Be Elected From Each District.

Average ratio for Representative: Population 39,682.

BARNSTABLE, DUKES AND NANTUCKET COUNTIES

SIX REPRESENTATIVES.

FIRST BARNSTABLE. — Consisting of the towns of Brewster and Dennis, and precincts 1, 2, 4 and 7, of the town of Yarmouth, all in the county of Barnstable. *Cleon H. Turner* (D), Dennis.

SECOND BARNSTABLE. — Consisting of Precincts 1, 2, 3, 4, 6, 8, 9 and 13, of the town of Barnstable, and precincts 3, 5 and 6, of the town of Yarmouth, both in the county of Barnstable. *Demetrius J. Atsalis* (D), Barnstable.

THIRD BARNSTABLE. — Consisting of precincts 5 and 7, of the town of Barnstable, precincts 5 and 6, of the town of Bourne, precincts 3, 4, 7, 8 and 9, of the town of Falmouth, and precincts 2, 4 and 5, of the town of Mashpee, all in the county of Barnstable. *David T. Vieira* (R), Falmouth.

FOURTH BARNSTABLE. — Consisting of the towns of Chatham, Eastham, Harwich, Orleans, Provincetown, Truro and Wellfleet, all in the county of Barnstable. *Sarah K. Peake* (D), Provincetown.

FIFTH BARNSTABLE. — Consisting of precincts 10, 11 and 12, of the town of Barnstable, precinct 4, of the town of Bourne, precincts 1 and 3, of the town of Mashpee, and all precincts of the town of Sandwich, all in the county of Barnstable. *Randy Hunt* (R), Sandwich.

BARNSTABLE, DUKES AND NANTUCKET. — Consisting of precincts 1, 2, 5 and 6, of the town of Falmouth, in the county of Barnstable; and the towns of Chilmark, Edgartown, Aquinnah, Gosnold, Oak Bluffs, Tisbury and West Tisbury, all in the county of Dukes County; and the town of Nantucket, in the county of Nantucket. *Timothy R. Madden* (D), Nantucket.

BERKSHIRE

FOUR REPRESENTATIVES.

FIRST BERKSHIRE. — Consisting of the towns of Adams, Clarksburg, Florida, North Adams, Savoy and Williamstown, all in the county of Berkshire; and the towns of Charlemont, Hawley, Heath, Monroe and Rowe, all in the county of Franklin. *Gailanne M. Cariddi* (D), North Adams.

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* The Federal Census of 2000 was the basis of apportionment.

$^+$ Districts that were amended by Chapter 74 of the Acts of 2004.

SECOND BERKSHIRE. — Consisting of the towns of Becket, Cheshire, Dalton, Hancock, Hinsdale, Lanesborough, New Ashford, Peru, Richmond, Washington and Windsor, and precinct B of ward 1, of the city of Pittsfield, all in the county of Berkshire; the towns of Ashfield, Bernardston, Buckland, Colrain, Leyden, Northfield and Shelburne, all in the county of Franklin; and the towns of Cummington, Middlefield and Plainfield, all in the county of Hampshire. *Paul W. Mark* (D), Dalton.

THIRD BERKSHIRE. — Consisting of precinct A of ward 1, all precincts of wards 2, 3, 4, precinct A of ward 5, and all precincts of wards 6 and 7, of the city of Pittsfield, in the county of Berkshire. *Christopher N. Speranzo* (D), Pittsfield.

FOURTH BERKSHIRE. — Consisting of the towns of Alford, Egremont, Great Barrington, Lee, Lenox, Monterey, Mount Washington, New Marlborough, Otis, precinct 5B of the city of Pittsfield, the towns of Sandisfield, Sheffield, Stockbridge, Tyringham and West Stockbridge, all in the county of Berkshire; and the towns of Blandford, Chester and Tolland, all in the county of Hampden. *William Smitty Pignatelli* (D), Lenox.

BRISTOL

FOURTEEN REPRESENTATIVES.

FIRST BRISTOL. — Consisting of the town of Foxborough, in the county of Norfolk; and precincts 1, 3 and 6, of the town of Mansfield, and precincts 3, 4 and 5, of the town of Norton, both in the county of Bristol. *F. Jay Barrows* (R), Mansfield.

SECOND BRISTOL. — Consisting of all precincts in wards 1 and 2, precinct A of ward 3, and all precincts of wards 4, 5 and 6, of the city of Attleboro, in the county of Bristol. *George T. Ross* (R), Attleboro.

THIRD BRISTOL. — Consisting of precinct B of ward 1, and all precincts of wards 2, 3, 5, 7 and 8, of the city of Taunton, in the county of Bristol. *Shaunna L. O'Connell* (R), Taunton.

FOURTH BRISTOL. — Consisting of precinct 1, of the town of Norton, the towns of Rehoboth and Seekonk, and precincts 1, 3, 4 and 5, of the town of Swansea, all in the county of Bristol. *Steven S. Howitt* (R), Seekonk.

FIFTH BRISTOL. — Consisting of the towns of Dighton and Somerset, precinct 2, of the town of Swansea, precinct A of ward 1, precinct B of ward 4 and all precincts of ward 6, of the city of Taunton, all in the county of Bristol. *Patricia A. Haddad* (D), Somerset.

Sixth Bristol. — Consisting of the town of Berkley, precinct C of ward 4, precincts A, C and D of ward 7, precincts B, C and D of ward 8, and precincts A, B and C of ward 9, of the city of Fall River, and precinct 1, of the town of Freetown, all in the county of Bristol. *David B. Sullivan* (D), Fall River.

Seventh Bristol. — Consisting of precincts B, C and D of ward 1, precincts A, B and C of ward 2, precincts A, B and C of ward 3, precincts A and B of ward 4, and precinct A of ward 5, of the city of Fall River, in the county of Bristol. *Kevin Aguiar* (D), Fall River.

Eighth Bristol. — Consisting of precinct A of ward 1, precincts B and C of ward 5, precincts A, B and C of ward 6, precinct B of ward 7, and precinct A of ward 8, of the city of Fall River, and the town of Westport, both in the county of Bristol. *Paul A. Schmid, III* (D), Westport.

Ninth Bristol. — Consisting of the town of Dartmouth, precinct 2, of the town of Freetown, and precincts F and G of ward 3, of the city of New Bedford, in the county of Bristol; and precinct 1 in the town of Lakeville, in the county of Plymouth. *Christopher M. Markey* (D), Dartmouth.

Tenth Bristol. — Consisting of the town of Fairhaven, in the county of Bristol; and the towns of Marion, Mattapoisett and Rochester, and precincts 3 and 6, of the town of Middleborough, all in the county of Plymouth. *William M. Straus* (D), Mattapoisset.

Eleventh Bristol. — Consisting of the town of Acushnet, precincts A, B, C, D and E of ward 1 and all precincts of ward 2, of the city of New Bedford, both in the county of Bristol. *Robert M. Koczera* (D), New Bedford.

Twelfth Bristol. — Consisting of precinct 3, of the town of Freetown, precincts F and G of ward 1, precincts A, B, C, D and E of ward 3, and precincts D and E of ward 4, of the city of New Bedford, and precinct A of ward 4, of the city of Taunton, all in the county of Bristol; and precincts 2 and 3, of the town of Lakeville, and precincts 2 and 4, of the town of Middleborough, both in the county of Plymouth. *Stephen R. Canessa* (D), Lakeville.

Thirteenth Bristol. — Consisting of precincts A, B, C, F and G of ward 4, all precincts of wards 5 and 6, of the city of New Bedford, in the county of Bristol. *Antonio F. D. Cabral* (D), New Bedford.

Fourteenth Bristol. — Consisting of precinct B of ward 3, of the city of Attleboro, precincts 2 and 5, of the town of Mansfield, the town of North Attleborough, and precinct 2, of the town of Norton, all in the county of Bristol. *Elizabeth A. Poirier* (R), North Attleborough.

ESSEX

EIGHTEEN REPRESENTATIVES.

FIRST ESSEX. — Consisting of the towns of Amesbury and Salisbury, and the city of Newburyport, all in the county of Essex. *Michael A. Costello* (D), Newburyport.

SECOND ESSEX. — Consisting of precinct 1, of the town of Georgetown, the town of Groveland, precinct 3 of ward 4, and precincts 1 and 3 of ward 7, of the city of Haverhill, and the towns of Merrimac, Newbury, Rowley and West Newbury, all in the county of Essex. *Harriett L. Stanley* (D), West Newbury.

THIRD ESSEX. — Consisting of all precincts of ward 1, precinct 3 of ward 2, all precincts of ward 3, precincts 1 and 2 of ward 4, precincts 1 and 3 of ward 5, and all precincts of ward 6, of the city of Haverhill, in the county of Essex. *Brian S. Dempsey* (D), Haverhill.

FOURTH ESSEX. — Consisting of precincts 1 and 3, of the town of Boxford, and the towns of Hamilton, Wenham, Ipswich, Manchester-by-the-Sea, and precinct 2, of the town of Middleton, all in the county of Essex. *Bradford Hill* (R), Ipswich.

FIFTH ESSEX. — Consisting of the towns of Essex and Rockport, and the city of Gloucester, all in the county of Essex. *Ann-Margaret Ferrante* (D), Gloucester.

SIXTH ESSEX. — Consisting of the city of Beverly, in the county of Essex. *Jerald A. Parisella* (D), Beverly.

SEVENTH ESSEX. — Consisting of the city of Salem, in the county of Essex. *John D. Keenan* (D), Salem.

EIGHTH ESSEX. — Consisting of precinct 4 of ward 3, and precinct 4 of ward 4, of the city of Lynn, and the towns of Marblehead and Swampscott, all in the county of Essex. *Lori A. Ehrlich* (D), Marblehead.

NINTH ESSEX. — Consisting of precincts 1 and 2 of ward 1, of the city of Lynn, precinct 2, of the town of Lynnfield, and precincts 1, 2, 4, 5, 6, 7, 8 and 9, of the town of Saugus, all in the county of Essex; and precincts 1, 2 and 7, of the town of Wakefield, in the county of Middlesex. *Donald H. Wong* (R), Saugus.

TENTH ESSEX. — Consisting of precincts 3 and 4 of ward 1, all precincts of ward 2, precincts 1, 2 and 3 of ward 3, precincts 1, 2 and 3 of ward 4, and precinct 3 of ward 5, of the city of Lynn, all in the county of Essex. *Robert F. Fennell* (D), Lynn.

ELEVENTH ESSEX. — Consisting of precincts 1, 2 and 4 of ward 5, all precincts of wards 6 and 7, of the city of Lynn, and the town of Nahant, in the county of Essex. *Steven M. Walsh* (D), Lynn.

TWELFTH ESSEX. — Consisting of all precincts of wards 1, 2, 3, 4 and 5, of the city of Peabody, in the county of Essex. *Joyce A. Spiliotis* (D), Peabody.

THIRTEENTH ESSEX. — Consisting of the towns of Danvers and Topsfield, all precincts of ward 6, of the city of Peabody, all in the county of Essex. *Theodore C. Speliotis* (D), Danvers.

FOURTEENTH ESSEX. — Consisting of precincts 1 and 3 of ward A, precincts 2 and 3 of ward E, and precincts 1, 2 and 4 of ward F, of the city of Lawrence, and precincts 1, 2, 3, 4, 5 and 6 of the town of North Andover, both in the county of Essex. *David M. Torrisi* (D), North Andover.

FIFTEENTH ESSEX. — Consisting of precincts 1, 2, 3, 4, 5, 6, 8, 9, 10, 11 and 12 of the town of Methuen, in the county of Essex. *Linda Dean Campbell* (D), Methuen.

SIXTEENTH ESSEX. — Consisting of precincts 2 and 4 of ward A, all precincts of wards B and C, and precincts 3 and 4 of ward D, and precinct 3 of ward F, of the city of Lawrence, in the county of Essex. *William Lantigua* (D), Lawrence.

SEVENTEENTH ESSEX. — Consisting of precincts 2, 3, 4, 5, 6 and 9, of the town of Andover, precincts 1 and 2 of ward D, and precincts 1 and 4 of ward E, of the city of Lawrence, both in the county of Essex; and precincts 3 and 3A, of the town of Tewksbury, in the county of Middlesex. *Paul Adams* (R), Andover.

EIGHTEENTH ESSEX. — Consisting of precincts 1, 7 and 8, of the town of Andover, precinct 2, of the town of Boxford, precinct 2, of the town of Georgetown, precincts 1 and 2 of ward 2, precinct 2 of ward 5, and precinct 2 of ward 7, of the city of Haverhill, precinct 7, of the town of Methuen, and precincts 7 and 8, of the town of North Andover, all in the county of Essex. *James J. Lyons, Jr.* (R), Andover.

FRANKLIN

TWO REPRESENTATIVES.

FIRST FRANKLIN. — Consisting of the towns of Conway, Deerfield, Leverett, Montague, New Salem, Shutesbury, Sunderland, Wendell and Whately, all in the county of Franklin; and precincts A and D, of the town of Belchertown, and the towns of Chesterfield, Goshen, Huntington, Pelham, Williamsburg and Worthington, all in the county of Hampshire. *Stephen Kulik* (D), Worthington.

SECOND FRANKLIN. — Consisting of the towns of Erving, Gill, Greenfield, Orange and Warwick, all in the county of Franklin; and the town of Athol, in the county of Worcester. *Denise Andrews* (D), Orange.

HAMPDEN

TWELVE REPRESENTATIVES.

FIRST HAMPDEN. — Consisting of the towns of Brimfield, Holland, Palmer and Wales, all in the county of Hampden; precincts B and C, in the town of Ware, in the county of Hampshire; and the towns of Sturbridge and Warren, both in the county of Worcester. *Todd M. Smola* (R), Palmer.

SECOND HAMPDEN. — Consisting of precincts 3 and 4, of the town of East Longmeadow, the towns of Hampden, Longmeadow and Monson, and precincts B and C of ward 6, of the city of Springfield, all in the county of Hampden. *Brian Michael Ashe* (D), Longmeadow.

THIRD HAMPDEN. — Consisting of the towns of Agawam, Granville, Russell and Southwick, all in the county of Hampden. *Nicholas A. Boldyga* (R), Southwick.

FOURTH HAMPDEN. — Consisting of the city of Westfield, in the county of Hampden. *Donald F. Humason, Jr.* (R), Westfield.

FIFTH HAMPDEN. — Consisting of the city of Holyoke, in the county of Hampden. *Michael F. Kane* (D), Holyoke.

SIXTH HAMPDEN. — Consisting of precinct B of ward 2, precincts A, B and C of ward 4 and precinct B of ward 5, of the city of Chicopee, precinct E of ward 2 of the city of Springfield, and the town of West Springfield, all in the county of Hampden. *Michael J. Finn* (D), West Springfield.

SEVENTH HAMPDEN. — Consisting of precinct B of ward 6, of the city of Chicopee, the town of Ludlow, precincts E, F and G of ward 8, of the city of Springfield, all in the county of Hampden; and precincts B and C, of the town of Belchertown, in the county of Hampshire. *Thomas M. Petrolati* (D), Ludlow.

EIGHTH HAMPDEN. — Consisting of precincts A and B of ward 1, precincts A, C and D of ward 2, precincts A, B and C of ward 3, precinct A of ward 6, precincts A and B of ward 7, precincts A and B of ward 8, and precincts A and B of ward 9, of the city of Chicopee, in the county of Hampden. *Joseph F. Wagner* (D), Chicopee.

NINTH HAMPDEN. — Consisting of precincts A, B, C, D, F, G and H of ward 2, precincts C, D, G and H of ward 5, precinct H of ward 7, and precincts A, B, D and H of ward 8, of the city of Springfield, and precinct A of ward 5 of the city of Chicopee, both in the county of Hampden. *Sean Curran* (D), Springfield.

TENTH HAMPDEN. — Consisting of all precincts of ward 1, precincts B, C, F, G and H of ward 3, and precincts A, E and G of ward 6, of the city of Springfield, in the county of Hampden. *Cheryl A. Coakley-Rivera* (D), Springfield.

ELEVENTH HAMPDEN. — Consisting of precincts A, D and E of ward 3, all precincts of ward 4, precincts A, B, E and F of ward 5, precinct A of ward 7, and precinct C of ward 8, of the city of Springfield, in the county of Hampden. *Benjamin Swan* (D), Springfield.

TWELFTH HAMPDEN. — Consisting of precincts 1 and 2, of the town of East Longmeadow, precincts D, F and H of ward 6, precincts B, C, D, E, F and G-of ward 7, of the city of Springfield, and the town of Wilbraham, all in the county of Hampden. *Angelo J. Puppolo, Jr.* (D), Springfield.

HAMPSHIRE

THREE REPRESENTATIVES.

FIRST HAMPSHIRE. — Consisting of the town of Montgomery, in the county of Hampden; and the towns of Hatfield, Southampton and Westhampton, and the city of Northampton, all in the county of Hampshire. *Peter V. Kocot* (D), Northampton.

SECOND HAMPSHIRE. — Consisting of the towns of Easthampton, Hadley and South Hadley, all in the county of Hampshire. *John W. Scibak* (D), South Hadley.

THIRD HAMPSHIRE. — Consisting of the towns of Amherst and Granby, both in the county of Hampshire. *Ellen Story* (D), Amherst.

MIDDLESEX

THIRTY-SEVEN REPRESENTATIVES.

FIRST MIDDLESEX. — Consisting of the towns of Ayer, Dunstable, Groton, Pepperell and Townsend, all in the county of Middlesex. *Sheila C. Harrington* (R), Groton.

SECOND MIDDLESEX. — Consisting of precincts 3, 5 and 7, of the town of Chelmsford and the towns of Littleton and Westford, both in the county of Middlesex. *James Arciero* (D), Westford.

THIRD MIDDLESEX. — Consisting of the towns of Hudson, Maynard and Stow, all in the county of Middlesex; and the town of Bolton, in the county of Worcester. *Kate Hogan* (D), Stow.

FOURTH MIDDLESEX. — Consisting of the city of Marlborough, in the county of Middlesex; and precinct 1, of the town of Southborough, and the town of Berlin, both in the county of Worcester. *Steven L. Levy* (R), Marlborough.

FIFTH MIDDLESEX. — Consisting of precincts 1, 2, 3, 4, 5, 6, 7, 8 and 9, of the town of Natick, and the town of Sherborn, both in the county of Middlesex; and precincts 2 and 3, of the town of Millis, in the county of Norfolk. *David Paul Linsky* (D), Natick.

SIXTH MIDDLESEX. — Consisting of precincts 1, 2, 3, 4, 5, 6, 7, 9, 13, 14 and 17, of the town of Framingham, in the county of Middlesex. *J. Christopher Walsh* (D), Framingham.

SEVENTH MIDDLESEX. — Consisting of the town of Ashland, and precincts 8, 10, 11, 12, 15, 16 and 18, of the town of Framingham, both in the county of Middlesex. *Tom Sannicandro* (D), Ashland.

EIGHTH MIDDLESEX. — Consisting of the towns of Holliston and Hopkinton, both in the county of Middlesex; precinct 1 of the town of Medway, in the county of Norfolk; and precincts 2 and 3, of the town of Southborough, and precinct 2, of the town of both in the county of Worcester. *Carolyn C. Dykema* (D), Holliston.

NINTH MIDDLESEX. — Consisting of precincts 2, 3 and 4, of the town of Lexington, and all precincts of wards 1, 2, 3 and 4, and precinct 1 of ward 7, of the city of Waltham, both in the county of Middlesex. *Thomas M. Stanley* (D), Waltham.

TENTH MIDDLESEX. — Consisting of precincts 1 and 4 of ward 1, and precinct 4 of ward 3, of the city of Newton, all precincts of wards 5 and 6, precinct 2 of ward 7, and all precincts of wards 8 and 9, of the city of Waltham, and precinct 10, of the town of Watertown, all in the county of Middlesex. *Peter J. Koutoujian* (D), Waltham[1]; *John J. Lawn, Jr.* (D), Watertown[2].

ELEVENTH MIDDLESEX. — Consisting of precincts 2 and 3 of ward 1, precincts 1, 2 and 3 of ward 2, precincts 1, 2 and 3 of ward 3, all precincts of ward 4, precinct 4 of ward 5, and precinct 2 of ward 7, of the city of Newton, in the county of Middlesex. *Kay Khan* (D), Newton.

TWELFTH MIDDLESEX. — Consisting of precincts 1, 2 and 3 of ward 5, all precincts of ward 6, precincts 1, 3 and 4 of ward 7, and all precincts of ward 8, of the city of Newton, in the county of Middlesex. *Ruth B. Balser* (D), Newton.

THIRTEENTH MIDDLESEX. — Consisting of the towns of Lincoln, Sudbury and Wayland, all in the county of Middlesex. *Thomas P. Conroy* (D), Wayland.

FOURTEENTH MIDDLESEX. — Consisting of precincts 1, 2 and 6, of the town of Acton, the towns of Carlisle and Concord, and precincts 1 and 9, of the town of Chelmsford, all in the county of Middlesex. *Cory Atkins* (D), Concord.

FIFTEENTH MIDDLESEX. — Consisting of precincts 14, 17, 20 and 21, of the town of Arlington, precincts 1, 5, 6, 7, 8 and 9, of the town of Lexington, and all precincts of wards 1 and 7, of the city of Woburn, all in the county of Middlesex. *Jay R. Kaufman* (D), Lexington.

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[1] Resigned January 21, 2011.

[2] Elected May 10, 2011; Qualified May 25, 2011.

SIXTEENTH MIDDLESEX. — Consisting of precincts 2, 6 and 8, of the town of Chelmsford, precincts 1, 2 and 3 of ward 5, and all precincts of wards 6 and 9, of the city of Lowell, both in the county of Middlesex. *Thomas A. Golden, Jr.* (D), Lowell.

SEVENTEENTH MIDDLESEX. — Consisting of precinct 4, of the town of Chelmsford, and all precincts of ward 1, precinct 3 of ward 2, precincts 2 and 3 of ward 4, and all precincts of wards 10 and 11, of the city of Lowell, both in the county of Middlesex. *David M. Nangle* (D), Lowell.

EIGHTEENTH MIDDLESEX. — Consisting of precincts 1 and 2 of ward 2, all precincts of ward 3, precinct 1 of ward 4, all precincts of wards 7 and 8, of the city of Lowell, in the county of Middlesex. *Kevin J. Murphy* (D), Lowell.

NINETEENTH MIDDLESEX. — Consisting of precincts 1, 1A, 2, 2A, 4 and 4A, of the town of Tewksbury, and precincts 1, 2, 4, 5 and 6, of the town of Wilmington, both in the county of Middlesex. *James R. Miceli* (D), Wilmington.

TWENTIETH MIDDLESEX. — Consisting of precincts 1, 3 and 4, of the town of Lynnfield, and precinct 1, of the town of Middleton, both in the county of Essex; and the town of North Reading, and precincts 1, 4, 6, 7 and 8, of the town of Reading, both in the county of Middlesex. *Bradley H. Jones, Jr.* (R), North Reading.

TWENTY-FIRST MIDDLESEX. — Consisting of the towns of Bedford and Burlington, and precinct 3, of the town of Wilmington, all in the county of Middlesex. *Charles A. Murphy* (D), Burlington.

TWENTY-SECOND MIDDLESEX. — Consisting of the town of Billerica, in the county of Middlesex. *Mark T. Lombardo* (R), Billerica.

TWENTY-THIRD MIDDLESEX. — Consisting of precincts 1, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 18 and 19, of the town of Arlington, precinct 2 of ward 3, and precincts 1 and 2 of ward 6, of the city of Medford, both in the county of Middlesex. *Sean Garballey* (D), Arlington.

TWENTY-FOURTH MIDDLESEX. — Consisting of precincts 2 and 4, of the town of Arlington, the town of Belmont, precinct 3 of ward 10, and precincts 1, 2 and 3 of ward 11, of the city of Cambridge, all in the county of Middlesex. *William N. Brownsberger* (D), Belmont.

TWENTY-FIFTH MIDDLESEX. — Consisting of all precincts of ward 4, precincts 2 and 3 of ward 6, all precincts of wards 7 and 8, and precincts 1 and 2 of ward 10, of the city of Cambridge, in the county of Middlesex. *Alice K. Wolf* (D), Cambridge.

TWENTY-SIXTH MIDDLESEX. — Consisting of all precincts of ward 1, precinct 1 of ward 2, precincts 1 and 2 of ward 3, and precinct 1 of ward 6, of the city of Cambridge, and all precincts of ward 1 and precincts 1 and 2 of ward 2, of the city of Somerville, both in the county of Middlesex. *Timothy J. Toomey, Jr.* (D), Cambridge.

Twenty-seventh Middlesex. — Consisting of precinct 3 of ward 2, all precincts of ward 3, precinct 3 of ward 4, and all precincts of wards 5 and 6, of the city of Somerville, in the county of Middlesex. *Denise Provost* (D), Somerville.

Twenty-eighth Middlesex. — Consisting of the city of Everett, and precinct 2 of ward 7, of the city of Malden, both in the county of Middlesex. *Stephen Stat Smith* (D), Everett.

Twenty-ninth Middlesex. — Consisting of all precincts of ward 9, of the city of Cambridge, and precincts 1, 2, 3, 4, 5, 6, 7, 8, 9, 11 and 12, of the town of Watertown, both in the county of Middlesex. *Jonathan Hecht* (D), Watertown.

Thirtieth Middlesex. — Consisting of precincts 2, 3 and 5, of the town of Reading, precinct 3, of the town of Stoneham, and all precincts of wards 2, 3, 4, 5 and 6, of the city of Woburn, all in the county of Middlesex. *James J. Dwyer* (D), Woburn.

Thirty-first Middlesex. — Consisting of precincts 1, 2, 4, 5, 6 and 7, of the town of Stoneham, and the town of Winchester, both in the county of Middlesex. *Jason M. Lewis* (D), Winchester.

Thirty-second Middlesex. — Consisting of the city of Melrose, and precincts 3, 4, 5 and 6, of the town of Wakfield, both in the county of Middlesex. *Paul Brodeur* (D), Melrose.

Thirty-third Middlesex. — Consisting of all precincts of ward 2, precinct 1 of ward 3, all precincts of wards 4, 5, 6 and 8, of the city of Malden, in the county of Middlesex. *Christopher G. Fallon* (D), Malden.

Thirty-fourth Middlesex. — Consisting of all precincts in wards 4 and 5, precinct 1 of ward 7, and precinct 2 of ward 8, of the city of Medford, precincts 1 and 2 of ward 4, and all precincts of ward 7, of the city of Somerville, both in the county of Middlesex. *Carl M. Sciortino, Jr.* (D), Medford.

Thirty-fifth Middlesex. — Consisting of all precincts of ward 1, precinct 2 of ward 3, precinct I of ward 7, of the city of Malden, and all precincts of wards 1 and 2, precinct 1 of ward 3, precinct 2 of ward 7, and precinct 1 of ward 8, of the city of Medford, both in the county of Middlesex. *Paul J. Donato* (D), Medford.

Thirty-sixth Middlesex. — Consisting of the towns of Dracut and Tyngsborough, both in the county of Middlesex. *Colleen M. Garry* (D), Dracut.

Thirty-seventh Middlesex. — Consisting of precincts 3, 4 and 5, of the town of Acton, the towns of Boxborough and Shirley, all in the county of Middlesex; and the town of Harvard, precinct 1 of the town of Lancaster and the town of Lunenburg, all in the county of Worcester.*Jennifer E. Benson* (D), Lunenburg.

NORFOLK

FIFTEEN REPRESENTATIVES.

FIRST NORFOLK. — Consisting of precincts 3 and 4 of ward 3, precincts 1 and 3 of ward 4, precincts 2 and 5 of ward 5, and all precincts of ward 6, of the city of Quincy, and precincts 5 and 6 of the town of Randolph, both in the county of Norfolk. *Bruce J. Ayers* (D), Quincy.

SECOND NORFOLK. — Consisting of all precincts in ward 1, precincts 1, 2 and 5 of ward 3, precincts 2 and 4 of ward 4 and precincts 1, 3 and 4 of ward 5, of the city of Quincy, in the county of Norfolk. *Tackey Chan* (D), Quincy.

THIRD NORFOLK. — Consisting of precincts 2, 3 and 4, of the town of Holbrook, all precincts of ward 2, and precinct 5 of ward 4, of the city of Quincy, precincts 5, 6, 9, 12 and 16, of the town of Weymouth, all in the county of Norfolk. *Ronald Mariano* (D), Quincy.

FOURTH NORFOLK. — Consisting of precincts 1, 2, 3, 4, 7, 8, 10, 11, 13, 14, 15, 17 and 18, of the town of Weymouth, in the county of Norfolk. *James M. Murphy* (D), Weymouth.

FIFTH NORFOLK. — Consisting of the town of Braintree, precinct 1, of the town of Holbrook, precinct 3, of the town of Randolph, all in the county of Norfolk. *Mark James Cusack* (D), Braintree.

SIXTH NORFOLK. — Consisting of the towns of Avon and Canton, and precincts 1, 5, 7 and 8, of the town of Stoughton, all in the county of Norfolk. *William C. Galvin* (D), Canton.

SEVENTH NORFOLK. — Consisting of precincts 2, 4, 5, 6, 7, 8, 9 and 10, of the town of Milton, and precincts 1, 2, 4, 7 and 8, of the town of Randolph, both in the county of Norfolk. *Walter F. Timilty* (D), Milton.

EIGHTH NORFOLK. — Consisting of precinct 4, of the town of Mansfield, in the county of Bristol; and the town of Sharon, precincts 2, 3, 4 and 6, of the town of Stoughton, and precincts 3 and 4, of the town of Walpole, all in the county of Norfolk. *Louis L. Kafka* (D), Stoughton.

NINTH NORFOLK. — Consisting of precincts 3 and 4, of the town of Medfield, precinct 1, of the town of Millis, the towns of Norfolk and Plainville, precinct 5, of the town of Walpole, and the town of Wrentham, all in the county of Norfolk. *Daniel B. Winslow* (R), Wrentham.

TENTH NORFOLK. — Consisting of the town of Franklin, and precincts 2, 3 and 4, of the town of Medway, both in the county of Norfolk. *James E. Vallee* (D), Franklin.

ELEVENTH NORFOLK. — Consisting of the town of Dedham, precinct 8, of the town of Walpole, and the town of Westwood, all in the county of Norfolk. *Paul McMurtry* (D), Dedham.

TWELFTH NORFOLK. — Consisting of the town of Norwood, precincts 1, 2, 6 and 7, of the town of Walpole, both in the county of Norfolk. *John H. Rogers* (D), Norwood.

THIRTEENTH NORFOLK. — Consisting of the town of Dover, precincts 1 and 2, of the town of Medfield, and the town of Needham, all in the county of Norfolk. *Denise C. Garlick* (D), Needham.

FOURTEENTH NORFOLK. — Consisting of precinct 10, of the town of Natick, and the town of Weston, both in the county of Middlesex; and the town of Wellesley, in the county of Norfolk. *Alice Hanlon Peisch* (D), Wellesley.

FIFTEENTH NORFOLK. — Consisting of precincts 2, 3, 4, 6, 7, 8, 9, 10, 11, 12 and 13 of the town of Brookline, in the county of Norfolk. *Frank I. Smizik* (D), Brookline.

PLYMOUTH

TWELVE REPRESENTATIVES.

FIRST PLYMOUTH. — Consisting of precincts 2, 3, 4, 5, 6, 7, 8, 9, 10, 12 and 14, of the town of Plymouth, in the county of Plymouth. *Viriato Manuel deMacedo* (R), Plymouth.

SECOND PLYMOUTH. — Consisting of precincts 1, 2 and 3, of the town of Bourne, in the county of Barnstable; and the towns of Carver and Wareham, both in the county of Plymouth. *Susan Williams Gifford* (R), Wareham.

THIRD PLYMOUTH. — Consisting of the town of Cohasset, in the county of Norfolk; and the towns of Hingham and Hull, and precinct 3, of the town of Scituate, all in the county of Plymouth. *Garrett J. Bradley* (D), Hingham.

FOURTH PLYMOUTH. — Consisting of the town of Marshfield, and precincts 1, 2, 4, 5 and 6, of the town of Scituate, both in the county of Plymouth. *James M. Cantwell* (D), Marshfield.

FIFTH PLYMOUTH. — Consisting of the towns of Hanover, Norwell and Rockland, all in the county of Plymouth. *Rhonda L. Nyman* (D), Hanover.

SIXTH PLYMOUTH. — Consisting of precincts 2, 3, 4 and 5, of the town of Duxbury, precinct 2 of the town of Halifax, and the towns of Hanson and Pembroke, all in the county of Plymouth. *Daniel K. Webster* (R), Pembroke.

SEVENTH PLYMOUTH. — Consisting of the towns of Abington, East Bridgewater and Whitman, all in the county of Plymouth. *Geoff Diehl* (R), Whitman.

EIGHTH PLYMOUTH. — Consisting of precinct 6, of the town of Easton, and the town of Raynham, both in the county of Bristol; and the town of Bridgewater, in the county of Plymouth. *Angelo L. D'Emilia* (R), Bridgewater.

NINTH PLYMOUTH. — Consisting of precincts B and D of ward 1, precincts B, C and D of ward 2, all precincts of ward 3, precincts A and D of ward 4 and precinct A of ward 5, of the city of Brockton, in the county of Plymouth. *Michael D. Brady* (D), Brockton.

TENTH PLYMOUTH. — Consisting of precinct 3, of the town of Easton, in the county of Bristol; and precincts B and C of ward 4, precincts B, C and D of ward 5 and all precincts of ward 6, of the city of Brockton, and the town of West Bridgewater, both in the county of Plymouth. *Christine E. Canavan* (D), Brockton.

ELEVENTH PLYMOUTH. — Consisting of precincts 1, 2, 4 and 5, of the town of Easton, in the county of Bristol; and precincts A and C of ward 1, precinct A of ward 2, and all precincts of ward 7, of the city of Brockton, in the county of Plymouth. *Geraldine Creedon* (D), Brockton.

TWELFTH PLYMOUTH. — Consisting of precincts 1 and 6, of the town of Duxbury, precinct 1, of the town of Halifax, the town of Kingston, precincts 1 and 5, of the town of Middleborough, precincts 1, 11 and 13, of the town of Plymouth, and the town of Plympton, all in the county of Plymouth. *Thomas J. Calter* (D), Kingston.

SUFFOLK

NINETEEN REPRESENTATIVES.

FIRST SUFFOLK. — Consisting of precincts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 of ward 1, of the city of Boston, in the county of Suffolk. *Carlo Basile* (D), Boston.

SECOND SUFFOLK. — Consisting of all precincts of ward 2, of the city of Boston, and all precincts of wards 1 and 2, precincts 1 and 3 of ward 3, and precincts 1 and 4 of ward 4, of the city of Chelsea, both in the county of Suffolk. *Eugene L. O'Flaherty* (D), Chelsea.

THIRD SUFFOLK. — Consisting of precincts 1, 2, 3, 4, 6, 7 and 8 of ward 3, precinct 1 of ward 4, precinct 1 of ward 5, and precincts 1, 2 and 3 of ward 8, of the city of Boston, in the county of Suffolk. *Aaron Michlewitz* (D), Boston.

FOURTH SUFFOLK. — Consisting of precinct 15 of ward 1, all precincts of ward 6, precincts 1, 2, 3, 4, 5, 6, 7, 8 and 9 of ward 7, precinct 6 of ward 8, and precinct 3 of ward 13, of the city of Boston, in the county of Suffolk. *Nick Collins* (D), Boston.

FIFTH SUFFOLK. — Consisting of precinct 10 of ward 7, precincts 5 and 7 of ward 8, precinct 6 of ward 12, precincts 1, 2, 4, 5 and 6 of ward 13, precincts 1, 2, 3, 4, 5, 7, 8 and 9 of ward 15, precinct 1 of ward 16, and precinct 2 of ward 17, of the city of Boston, in the county of Suffolk. *Carlos Tony Henriquez* (D), Boston.

SIXTH SUFFOLK. — Consisting of precincts 5, 8, 9, 10, 11, 12, 13 and 14 of ward 14, precincts 7, 8, 10 and 11 of ward 17, precincts 7, 8 and 15 of ward 18, and precincts 11, 12 and 13 of ward 19, of the city of Boston, in the county of Suffolk. *Russell E. Holmes* (D), Boston.

SEVENTH SUFFOLK. — Consisting of precincts 8, 9 and 10 of ward 4, precinct 4 of ward 8, precincts 4 and 5 of ward 9, precinct 4 of ward 10, precinct 1 of ward 11, precincts 1, 2, 3, 4, 5; 8 and 9 of ward 12, and precinct 1 of ward 21, of the city of Boston, in the county of Suffolk. *Gloria L. Fox* (D), Boston.

EIGHTH SUFFOLK. — Consisting of precinct 3 of ward 2, precinct 3 of ward 3, and all precincts of ward 5, of the city of Cambridge, in the county of Middlesex; and precinct 5 of ward 3, and precincts 3, 4, 5, 6, 7, 8, 9 and 11 of ward 5, of the city of Boston, in the county of Suffolk. *Martha M. Walz* (D), Boston.

NINTH SUFFOLK. — Consisting of precinct 2 of ward 2, of the city of Cambridge, in the county of Middlesex; and precincts 2, 3, 4, 5, 6 and 7 of ward 4, precincts 2 and 10 of ward 5, and precincts 1, 2 and 3 of ward 9, of the city of Boston, in the county of Suffolk. *Byron Rushing* (D), Boston.

TENTH SUFFOLK. — Consisting of precincts 14, 15 and 16, of the town of Brookline, in the county of Norfolk; and precincts 3, 5, 6, 7, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20 of ward 20, of the city of Boston, in the county of Suffolk. *Edward F. Coppinger* (D), Boston.

ELEVENTH SUFFOLK. — Consisting of precincts 2, 3, 4, 5, 7, 8, 9 and 10 of ward 11, precinct 7 of ward 12, precincts 1, 2, 3, 4, 6 and 7 of ward 14, and precincts 6 and 7 of ward 19, of the city of Boston, in the county of Suffolk. *Elizabeth A. Malia* (D), Boston.

TWELFTH SUFFOLK. — Consisting of precincts 1 and 3 of the town of Milton, in the county of Norfolk; and precincts 8, 11 and 12 of ward 16, precincts 4, 12, 13 and 14 of ward 17, and precincts 1, 2, 4, 5, 6 and 21 of ward 18, of the city of Boston, in the county of Suffolk. *Linda Dorcena Forry* (D), Boston.

THIRTEENTH SUFFOLK. — Consisting of precincts 7, 8, 9 and 10 of ward 13, precinct 6 of ward 15, precincts 2, 3, 4, 5, 6, 7, 9 and 10 of ward 16, and precincts 1, 3, 5, 6 and 9 of ward 17, of the city of Boston, in the county of Suffolk. *Martin J. Walsh* (D), Boston.

FOURTEENTH SUFFOLK. — Consisting of precinct 11, of the town of Milton, in the county of Norfolk; and of precincts 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20 and 23 of ward 18, precinct 10 of ward 19, and precincts 8 and 9 of ward 20, of the city of Boston, in the county of Suffolk. *Angelo M. Scaccia* (D), Boston.

FIFTEENTH SUFFOLK. — Consisting of precinct 5, of the town of Brookline, in the county of Norfolk; and precincts 1, 2, 3, 5, 6, 7, 8 and 9 of ward 10, precinct 6 of ward 11, precincts 1, 2, 3, 4, 5, 8 and 9 of ward 19, and precincts 1, 2 and 4 of ward 20, of the city of Boston, in the county of Suffolk. *Jeffrey Sánchez* (D), Boston.

SIXTEENTH SUFFOLK. — Consisting of precincts 3 and 10, of the town of Saugus, in the county of Essex; and precincts 2 and 4 of ward 3, precincts 2 and 3 of ward 4, of the city of Chelsea, and precinct 3 of ward 1, precinct 1 of ward 3, precincts 1, 2 and 3 of ward 4, precincts 1 and 2 of ward 5, and precincts 1, 2 and 3 of ward 6, of the city of Revere, both in the county of Suffolk. *Kathi-Anne Reinstein* (D), Revere.

SEVENTEENTH SUFFOLK. — Consisting of precincts 3, 5, 6, 7, 8, 9, 10, 11 and 12 of ward 21, and precincts 2, 3, 6, 9 and 10 of ward 22, of the city of Boston, in the county of Suffolk. *Kevin G. Honan* (D), Boston.

EIGHTEENTH SUFFOLK. — Consisting of precinct 1, of the town of Brookline, in the county of Norfolk; and precincts 2, 4, 13, 14, 15 and 16 of ward 21, and precincts 1, 4, 5, 7, 8, 11, 12, and 13 of ward 22, of the city of Boston, in the county of Suffolk. *Michael J. Moran* (D), Boston.

NINETEENTH SUFFOLK. — Consisting of precincts 1 and 2 of ward 1, all precincts of ward 2, precincts 2 and 3 of ward 3, and precinct 3 of ward 5, of the city of Revere, and the town of Winthrop, both in the county of Suffolk. *Robert A. DeLeo* (D), Winthrop.

WORCESTER

EIGHTEEN REPRESENTATIVES.

FIRST WORCESTER. — Consisting of the towns of Holden, Hubbardston, Oakham, Princeton, Rutland, precinct 1 of the town of Sterling and the town of Westminster, all in the county of Worcester. *Kimberly N. Ferguson* (R), Holden.

SECOND WORCESTER. — Consisting of the town of Ashby, in the county of Middlesex; and the city of Gardner, and the towns of Ashburnham, Royalston and Winchendon, all in the county of Worcester. *Richard Bastien* (R), Gardner.

THIRD WORCESTER. — Consisting of the city of Fitchburg, in the county of Worcester. *Stephen L. DiNatale* (D), Fitchburg.

FOURTH WORCESTER. — Consisting of the town of Leominster, in the county of Worcester. *Dennis A. Rosa* (D), Leominster.

FIFTH WORCESTER. — Consisting of precinct A, of the town of Ware, in the county of Hampshire; and the, towns of Barre, Brookfield, Hard-

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1. Lost special election, May 10, 2011.

2. Elected May 10, 2011; Qualified May 25, 2011.

wick, New Braintree, North Brookfield, Petersham, Phillipston and West Brookfield, precincts 2 and 3 of the town of Spencer, and the town of Templeton, all in the county of Worcester. *Anne M. Gobi* (D), Spencer.

SIXTH WORCESTER. — Consisting of the towns of Charlton, East Brookfield and precinct 2, of the town of Oxford, the town of Southbridge, and precincts 1 and 4, of the town of Spencer, all in the county of Worcester. *Geraldo Alicea* (D), Charlton[1]; Peter J. Durant (R), Spencer[2].

SEVENTH,WORCESTER. — Consisting of the towns of Auburn and Millbury, precinct 3, of the town of Sutton, and precincts 1 and 3, of the town of Oxford, all in the county of Worcester. *Paul K. Frost* (R), Auburn.

EIGHTH WORCESTER. — Consisting of the towns of Douglas and Dudley, precinct 4, of the town of Oxford, precinct 3, of the town of Uxbridge, and the town of Webster, all in the county of Worcester. *Kevin J. Kuros* (R), Uxbridge.

NINTH WORCESTER. — Consisting of the towns of Grafton, Northbridge and Upton, and precincts 3 and 5, of the town of Westborough, all in the county of Worcester. *George N. Peterson, Jr.* (R), Grafton.

TENTH WORCESTER. — Consisting of the towns of Hopedale, Mendon and Milford, all in the county of Worcester. *John V. Fernandes* (D), Milford.

ELEVENTH WORCESTER. — Consisting of the town of Shrewsbury, and precincts 1 and 4, of the town of Westborough, both in the county of Worcester. *Matthew A. Beaton* (R), Shrewsbury.

TWELFTH WORCESTER. — Consisting of the towns of Boylston, Clinton, Northborough, and precinct 2 of the town of Sterling and precinct 2 of the town of Lancaster, all in the county of Worcester. *Harold P. Naughton, Jr.* (D), Clinton.

THIRTEENTH WORCESTER. — Consisting of the town of Paxton, precincts 1, 2, 3 and 4 of ward 1, all precincts of ward 9, and precinct 3 of ward 10, of the city of Worcester, both in the county of Worcester. *John J. Mahoney* (D), Worcester.

FOURTEENTH WORCESTER. — Consisting of the town of West Boylston, and precinct 5 of ward 1, all precincts of ward 2, and precincts 1, 3 and 5 of ward 3, of the city of Worcester, both in the county of Worcester. *James J. O'Day.* (D), Worcester.

FIFTEENTH WORCESTER. — Consisting of precincts 2 and 4 of ward 3, all precincts of ward 4, precinct 3 of ward 5, and precincts 1, 2, 4 and 5 of ward 10, of the city of Worcester, in the county of Worcester. *Vincent A. Pedone* (D), Worcester.

SIXTEENTH WORCESTER. — Consisting of precincts 1, 2, 4 and 5, of ward 5, all precincts of ward 6, and precincts 1 and 5 of ward 8, of the city of Worcester, in the county of Worcester. *John P. Fresolo* (D), Worcester.

SEVENTEENTH WORCESTER. — Consisting of the town of Leicester, and all precincts in ward 7, and precincts 2, 3 and 4 of ward 8, of the city of Worcester, in the county of Worcester. *John J. Binienda* (D), Worcester.

EIGHTEENTH WORCESTER. — Consisting of the town of Bellingham, in the county of Norfolk; and precincts 1, 2 and 4, of the town of Uxbridge, precincts 1 and 2, of the town of Sutton, and the towns of Blackstone and Millville, all in the county of Worcester. *Ryan C. Fattman* (R), Sutton.

CITIES AND TOWNS ALPHABETICALLY

with

Congressional Districts (as established by Chapter 29 of the Acts of 2002), Councillor and Senatorial Districts (as established by Chapter 126 of the Acts of 2001, and Representative Districts (as established by Chapter 125 of the Acts of 2001).

Cities and Towns	Congressional	Councillor	Senatorial	Representative
Abington	10	4	Norfolk and Plymouth	7th Plymouth
Acton	5	3	Middlesex and Worcester	14th Middlesex, precincts 1, 2 and 6. 37th Middlesex, precincts 3, 4 and 5.
Acushnet	4	1	2d Bristol and Plymouth	11th Bristol
Adams	1	8	Berkshire, Hampshire and Franklin	1st Berkshire
Agawam	2	8	Hampden	3d Hampden
Alford	1	8	Berkshire, Hampshire and Franklin	4th Berkshire
Amesbury	6	5	1st Essex	1st Essex
Amherst	1	8	Hampshire and Franklin	3d Hampshire
Andover	5	5	2d Essex and Middlesex	17th Essex, precincts 2, 3, 4, 5, 6 and 9. 18th Essex, precincts 1, 7 and 8.
Aquinnah	10	1	Cape and Islands	Barnstable, Dukes and Nantucket
Arlington	7	6	4th Middlesex	15th Middlesex, precincts 14, 17, 20 and 21. 23d Middlesex, precincts 1, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 18 and 19. 24th Middlesex, precincts 2 and 4.

Cities and Towns	Congressional	Councillor	Senatorial	Representative
Ashburnham	1	7	Worcester, Hampden, Hampshire and Franklin	2d Worcester
Ashby	1	7	Worcester and Middlesex	2d Worcester
Ashfield	1	8	Berkshire, Hampshire and Franklin	2d Berkshire
Ashland	3	2	2d Middlesex and Norfolk	7th Middlesex
Athol	1	7	Worcester, Hampden, Hampshire and Franklin	2d Franklin
Attleboro	4	2	Bristol and Norfolk, ward 3, precinct B, wards 4, 5 and 6 Norfolk, Bristol and Middlesex, wards 1 and 2, ward 3, precinct A	2d Bristol, wards 1 and 2, ward 3, precinct A, wards 4, 5 and 6. 14th Bristol, ward 3, precinct B.
Auburn	3	7	2d Worcester	7th Worcester
Avon	9	2	Norfolk, Bristol and Plymouth	6th Norfolk
Ayer	5	3	Middlesex and Worcester	1st Middlesex
Barnstable	10	1	Cape and Islands, precincts 1-9, 13. Plymouth and Barnstable, precincts 10, 11 and 12.	2d Barnstable, precincts 1, 2, 3, 4, 6, 8, 9 and 13. 3d Barnstable, precincts 5 and 7. 5th Barnstable, precincts 10, 11 and 12.
Barre	1	7	Worcester, Hampden, Hampshire and Franklin	5th Worcester
Becket	1	8	Berkshire, Hampshire and Franklin	2d Berkshire
Bedford	6	3	3d Middlesex	21st Middlesex

Belchertown	1	8	Hampshire and Franklin, precincts A and D 1st Hampden and Hampshire, precincts B and C	1st Franklin, precincts A and D. 7th Hampden, precincts B and C.
Bellingham	2	7	Worcester and Norfolk	18th Worcester
Belmont	7	3	2d Suffolk and Middlesex	24th Middlesex
Berkley	4	1	1st Plymouth and Bristol	6th Bristol
Berlin	5	7	1st Worcester	4th Middlesex
Bernardston	1	8	Hampshire and Franklin	2d Berkshire
Beverly	6	5	2d Essex	6th Essex
Billerica	5	6	4th Middlesex	22d Middlesex
Blackstone	2	7	Worcester and Norfolk	18th Worcester
Blandford	1	8	2d Hampden and Hampshire	4th Berkshire
Bolton	5	7	Worcester and Middlesex	3d Middlesex
Boston	8 * 9 **	2 # 3 ## 4 ### 6 ####	1st Suffolk, ward 1, precinct 15, wards 6, 7 and 13, ward 14, precincts 1,2, 4, 5, 12-14, wards 15, 16, 17, ward 18, precincts 1-6, 21. 2d Suffolk, ward 3, precincts 7, 8, ward 4, precincts 1-6, 8, 9, ward 5, precincts 1, 4-8, 11, wards 8, 9, 10, 11, 12, ward 14, precincts 3, 6-11, ward 19, precincts 1-9. Middlesex, Suffolk and Essex, ward 2, ward 21, precincts 4, 6, 7, ward 22, precincts 1, 2 and 5. 1st Suffolk and Middlesex, ward 1, precincts 1-14, ward 3, precincts 1-6, ward 5, precinct 3.	1st Suffolk, ward 1 and harbor islands. 2d Suffolk, ward 2. 3d Suffolk, ward 3, precincts 1, 2, 3, 4, 6, 7, 8, ward 4, precinct 1, ward 5, precinct 1, ward 8, precincts 1, 2, 6. 4th Suffolk, ward 6, ward 7, precincts 1-9, ward 13, precincts 3, 6. 5th Suffolk, ward 7, precinct 1 ward 8, precincts 5, 7, ward 12, precinct 6, ward 13, precincts 1, 2, 4, 5, ward 14, precincts 1, 4, ward 15, precincts 1-5, 7-9. 6th Suffolk, ward 14, precincts 2, 3, 5-14, ward 17, precinct 1, 5, 7, 8, 10, ward 18, precinct 3.

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* 8th Congressional District, wards 1 and 2 ward 3, precincts 1-4, 7 and 8, ward 4, ward 5, precincts 1 and 2, 6-10, ward 7, precinct 10, wards 8-12, ward 13, precincts 1,2, 4-6, ward 14 ward 15, precincts 1-5, 7-9, ward 16, precincts 1 and 3, ward 17, precinct 1-3, 5-12, ward 18, precincts 1-8, 13-15, and 21, ward 19, precincts 1, 3-6, 8 and 9, wards 21 and 22.

** 9th Congressional District, ward 3, precincts 5 and 6, ward 5, precincts 3-5, 11, ward 6, ward 7, precincts 1-9, ward 13, precincts 3, 7-10, ward 15, precinct 6, ward 16, precincts 2, 4-12, ward 17, precincts 4, 13 and 14, ward 18, precincts 9-12, 16-20, 22, 23, ward 19, precincts 2, 7, 10-13, ward 20.

Cities and Towns	Congressional	Councillor	Senatorial	Representative
Boston (con't)			2d Suffolk and Middlesex, ward 4, precincts 7, 10, ward 5, precincts 2, 9, 10, ward 21, precincts 1-3, 5, 8-16, ward 22, precincts 3, 4, 6-13. Suffolk and Norfolk, ward 18, precincts 7-20, 22, 23, ward 19, precincts 10-13, ward 20.	7th Suffolk, ward 4, precincts 8-10, ward 8, precincts 3, 4, ward 9, precincts 4, 5, ward 11, precincts 2, 3, ward 12, precincts 1-5, 8, 9, ward 21, precinct 1. 8th Suffolk, ward 3, precinct 5 ward 5, precincts 3-9, 11. 9th Suffolk, ward 4, precincts 2-7, ward 5, precincts 2, 10, ward 9, precincts 1-3. 10th Suffolk, ward 20, precinct 3, 5-20. 11th Suffolk, ward 11, precincts 4-10, ward 12, precinct 7, ward 19, precincts 6, 7, 9-13 ward 20, precincts 1, 2, 4. 12th Suffolk, ward 16, precincts 8, 11, 12, ward 17, precincts 4, 11-14, ward 18, precincts 1, 2, 4, 5, 6, 21. 13th Suffolk, ward 13, precincts 7-9, ward 15, precinct 6, ward 16, precincts 1-7, 9, 10, ward 17, precincts 2, 3, 6, 9. 14th Suffolk, ward 18, precincts 7-20, 22, 23. 15th Suffolk, ward 10, ward 11, precinct 1, ward 19, precincts 1-5, 8.

2d Councillor District, ward 18, precincts 7-20, 22 and 23, ward 19, precincts 10-13, ward 20.

3d Councillor District, ward 4, precincts 7, 10, ward 5, precincts 2, 9, 10, ward 21, precincts 1-3, 5, 8-16, ward 22, precincts 3, 4, 6-13.

4th Councillor District, ward 1, precinct 15, ward 3, precincts 7, 8, ward 4, precincts 1-6, 8, 9, ward 5, precincts 1, 4-8, 11, wards 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, ward 18, precincts 1-6, 21, ward 19, precincts 1-9.

6th Councillor District, ward 1, precincts 1-14, ward 2, ward 3, precincts 1-6, ward 5, precinct 3, ward 21, precincts 4, 6, 7, ward 22, precincts 1, 2 and 5.

Boston (con't)				17th Suffolk, ward 21, precincts 3, 5-12, ward 22, precincts 2, 3, 6, 9, 10. 18th Suffolk, ward 21, precincts 2, 4, 13-16, ward 22, precincts 1, 4, 5, 7, 8, 11-13.
Bourne	10	1	Plymouth and Barnstable	3d Barnstable, precincts 5 and 6. 5th Barnstable, precinct 4. 2d Plymouth, precincts 1, 2 and 3.
Boxborough	5	3	Middlesex and Worcester	37th Middlesex
Boxford	6	5	1st Essex and Middlesex	4th Essex, precincts 1 and 3. 18th Essex, precinct 2.
Boylston	3	7	1st Worcester	12th Worcester
Braintree	9	2 * 4 **	Norfolk, Bristol and Plymouth, precincts 1, 3, 4, 5. Norfolk and Plymouth, precincts 2, 6-12.	5th Norfolk
Brewster	10	1	Cape and Islands	1st Barnstable
Bridgewater	9	1	1st Plymouth and Bristol	8th Plymouth
Brimfield	2	7	Worcester, Hampden, Hampshire and Franklin	1st Hampden
Brockton	9	4	2d Plymouth and Bristol	9th Plymouth, ward 1, precincts B, D, ward 2, precincts B, C, D, ward 3, ward 4, precincts A, D, ward 5, precinct A. 10th Plymouth, ward 4, precincts B, C, ward 5, precincts B, C, D, ward 6. 11th Plymouth, ward 1, precincts A, C, ward 2, precinct A, ward 7.

* 2d Councillor District, precincts 1, 3, 4 and 5.
** 4th Councillor District, precincts 2, 6-12.

Cities and Towns	Congres-sional	Coun-cillor	Senatorial	Representative
Brookfield	2	7	Worcester, Hampden, Hampshire and Franklin	5th Worcester
Brookline	4	3	1st Middlesex and Norfolk	15th Norfolk, precincts 2-4, 6-13. 10th Suffolk, precincts 15, 16. 15th Suffolk, precincts 5, 14. 18th Suffolk precinct 1.
Buckland	1	8	Hampshire and Franklin	2d Berkshire
Burlington	6	6	4th Middlesex	21st Middlesex
Cambridge	8	3 * 6 **	Middlesex, Suffolk and Essex, ward 3, precinct 2, wards 6 and 7, ward 8, precincts 1, 2, ward 9, precinct 1, ward 10, precinct 2 1st Suffolk and Middlesex, wards 1 and 2, ward 3, precincts 1, 3, wards 4 and 5, ward 8, precinct 3. 2d Suffolk and Middlesex, ward 9, precincts 2, 3, ward 10, precincts 1, 3, ward 11.	24th Middlesex, ward 10, precinct 3, ward 11, precincts 1, 2 and 3. 25th Middlesex, ward 4, ward 6, precincts 2, 3, wards 7 and 8, ward 10, precincts 1, 2. 26th Middlesex, ward 1, ward 2, precinct 1, ward 3, precincts 1, 2, ward 6, precinct 1. 29th Middlesex, ward 9. 8th Suffolk, ward 2, precinct 3, ward 3, precinct 3, ward 5. 9th Suffolk, ward 2, precinct 2.
Canton	9	2	Norfolk, Bristol and Plymouth	6th Norfolk
Carlisle	5	3	3d Middlesex	14th Middlesex
Carver	10	1	1st Plymouth and Bristol	2d Plymouth
Charlemont	1	8	Berkshire, Hampshire and Franklin	1st Berkshire
Charlton	2	7	Worcester, Hampden, Hampshire and Franklin	6th Worcester

Chatham	10	1	Cape and Islands	4th Barnstable
Chelmsford	5	3	3d Middlesex	2d Middlesex, precincts 3, 5, 7. 14th Middlesex, precincts 1, 9. 16th Middlesex, precincts 2, 6, 8. 17th Middlesex, precinct 4.
Chelsea	8	6	Middlesex, Suffolk and Essex	2d Suffolk, wards 1, 2, ward 3, precincts 1, 3, ward 4, precincts 1, 4. 16th Suffolk, ward 3, precincts 2, 4, ward 4, precincts 2, 3.
Cheshire	1	8	Berkshire, Hampshire and Franklin	2d Berkshire
Chester	1	8	2d Hampden and Hampshire	4th Berkshire
Chesterfield	1	8	Berkshire, Hampshire and Franklin	1st Franklin
Chicopee	2	8	Hampden, ward 2, precincts A-D, ward 4, precincts A-C, ward 5, precincts A and B. 2d Hampden and Hampshire, ward 1, precincts A, B, ward 3, precincts A-C, ward 6, precincts A, B, ward 7, precincts A, B, ward 8, precincts A, B, ward 9, precincts A, B.	6th Hampden, ward 2, precinct B, ward 4, precincts A, B, C, ward 5, precinct B. 7th Hampden, ward 6, precinct B. 8th Hampden, ward 1, precincts A, B, ward 2, precincts A, C, D, ward 3, precincts A, B, C, ward 6, precinct A, ward 7, precincts A, B, ward 8, precincts A, B, ward 9, precincts A, B. 9th Hampden, ward 5, precinct A.
Chilmark	10	1	Cape and Islands	Barnstable, Dukes and Nantucket
Clarksburg	1	8	Berkshire, Hampshire and Franklin	1st Berkshire
Clinton	3	7	1st Worcester, precincts 3 and 4. Worcester and Middlesex, precincts 1 and 2.	12th Worcester

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* 3d Councillor District, ward 9, precincts 2 and 3, ward 10, precincts 1 and 3, ward 11.

** 6th Councillor District, wards 1-8, ward 9, precinct 1, ward 10, precinct 2.

Cities and Towns	Congressional	Councillor	Senatorial	Representative
Cohasset	10	4	Plymouth and Norfolk	3d Plymouth
Colrain	1	8	Hampshire and Franklin	2d Berkshire
Concord	5	3	3d Middlesex	14th Middlesex
Conway	1	8	Berkshire, Hampshire and Franklin	1st Franklin
Cummington	1	8	Berkshire, Hampshire and Franklin	2d Berkshire
Dalton	1	8	Berkshire, Hampshire and Franklin	2d Berkshire
Danvers	6	5	2d Essex	13th Essex
Dartmouth	4	1	2d Bristol and Plymouth	9th Bristol
Dedham	9	2	Suffolk and Norfolk	11th Norfolk
Deerfield	1	8	Hampshire and Franklin	1st Franklin
Dennis	10	1	Cape and Islands	1st Barnstable
Dighton	4	1	1st Plymouth and Bristol	5th Bristol
Douglas	2	7	Worcester and Norfolk	8th Worcester
Dover	4	2	Bristol and Norfolk	13th Norfolk
Dracut	5	5	2d Essex and Middlesex	36th Middlesex
Dudley	2	7	Worcester and Norfolk	8th Worcester
Dunstable	5	3	1st Middlesex	1st Middlesex
Duxbury	10	4	Plymouth and Norfolk	6th Plymouth, precincts 2, 3, 4, 5. 12th Plymouth, precincts 1, 6.
East Bridgewater	9	2 * 4 **	Norfolk, Bristol and Plymouth, precinct 4 2d Plymouth and Bristol, precincts 1, 2, 3.	7th Plymouth

East Brookfield	2	7	Worcester, Hampden, Hampshire and Franklin	6th Worcester
Eastham	10	1	Cape and Islands	4th Barnstable
Easthampton	1	8	2d Hampden and Hampshire	2d Hampshire
East Longmeadow	2	8	1st Hampden and Hampshire	2d Hampden, precincts 3, 4. 12th Hampden, precincts 1, 2.
Easton	9	2# 4##	Norfolk, Bristol and Plymouth, precincts 3, 4, 5, 6. 2d Plymouth and Bristol, precincts 1, 2.	8th Plymouth, precinct 6. 10th Plymouth, precinct 3. 11th Plymouth, precincts 1, 2, 4, 5.
Edgartown	10	1	Cape and Islands	Barnstable, Dukes and Nantucket
Egremont	1	8	Berkshire, Hampshire and Franklin	4th Berkshire
Erving	1	8	Hampshire and Franklin	2d Franklin
Essex	6	5	1st Essex and Middlesex	5th Essex
Everett	7	6	Middlesex, Suffolk and Essex	28th Middlesex
Fairhaven	4	1	2d Bristol and Plymouth	10th Bristol
Fall River	3 † 4 ††	1	1st Bristol and Plymouth	6th Bristol, ward 4, precinct C, ward 7, precincts A, C, D, ward 8, precincts B, C, D, ward 9, precincts A, B, C. 7th Bristol, ward 1, precincts B, C, D, ward 2, precincts A, B, C, ward 3, precincts A, B, C, ward 4, precincts A, B, ward 5, precinct A. 8th Bristol, ward 1, precinct A, ward 5, precincts B, C, ward 6, precincts A, B, C, ward 7, precinct B, ward 8, precinct A. 3d precincts 3, 4, 7, 8, 9.

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* 2d Councillor District, precinct 4.

** 4th Councillor District, precincts 1, 2 and 3.

# 2d Councillor District, precincts 3 to 6, inclusive.

## 4th Councillor District, precincts 1 and 2.

† 3d Congressional District, wards 1-3, ward 4, precincts A and B, ward 5, precincts A and B, ward 6, precincts B and C, and ward 8, precinct D.

†† 4th Congressional District, ward 4, precinct C, ward 5, precinct C, ward 6, precinct A, ward 7, ward 8, precincts A, B and C, ward 9.

Cities and Towns	Congressional	Councillor	Senatorial	Representative
Falmouth	10	1	Plymouth and Barnstable	3rd Barnstable, precincts 3, 4, 7, 8, 9. Barnstable, Dukes and Nantucket, precincts 1, 2, 5, 6.
Fitchburg	1	7	Worcester and Middlesex	3d Worcester
Florida	1	8	Berkshire, Hampshire and Franklin	1st Berkshire
Foxborough	4	2	Bristol and Norfolk	1st Bristol
Framingham	7	2	2d Middlesex and Norfolk	6th Middlesex, precincts 1-7, 9, 13, 14, 17. 7th Middlesex, precincts 8, 10-12, 15, 16, 18.
Franklin	3	2	2d Middlesex and Norfolk, precincts 1, 5-8. Norfolk, Bristol and Middlesex, precincts 2-4.	10th Norfolk
Freetown	4	1	1st Bristol and Plymouth	6th Bristol, precinct 1. 9th Bristol, precinct 2. 12th Bristol, precinct 3.
Gardner	1	7	Worcester and Middlesex	2d Worcester
Georgetown	6	5	1st Essex and Middlesex	2d Essex, precinct 1. 18th Essex, precinct 2.
Gill	1	8	Hampshire and Franklin	2d Franklin
Gloucester	6	5	1st Essex and Middlesex	5th Essex
Goshen	1	8	Berkshire, Hampshire, and Franklin	1st Franklin
Gosnold	10	1	Cape and Islands	Barnstable, Dukes and Nantucket
Grafton	2	7	2d Worcester	9th Worcester
Granby	1	8	1st Hampden and Hampshire	3d Hampshire

Granville	1	8	2d Hampden and Hampshire	3d Hampden
Great Barrington	1	8	Berkshire, Hampshire, and Franklin	4th Berkshire
Greenfield	1	8	Hampshire and Franklin	2d Franklin
Groton	5	3	1st Middlesex	1st Middlesex
Groveland	6	5	1st Essex and Middlesex	2d Essex
Hadley	2	8	Hampshire and Franklin	2d Hampshire
Halifax	4	4	2d Plymouth and Bristol	6th Plymouth, precinct 2. 12th Plymouth, precinct 1.
Hamilton	6	5	1st Essex and Middlesex	4th Essex
Hampden	2	8	1st Hampden and Hampshire	2d Hampden
Hancock	1	8	Berkshire, Hampshire and Franklin	2d Berkshire
Hanover	10	4	2d Plymouth and Bristol	5th Plymouth
Hanson	9* 10**	4	2d Plymouth and Bristol	6th Plymouth
Hardwick	1	7	Worcester, Hampden, Hampshire and Franklin	5th Worcester
Harvard	5	3	Middlesex and Worcester	37th Middlesex
Harwich	10	1	Cape and Islands	4th Barnstable
Hatfield	1	8	Hampshire and Franklin	1st Hampshire
Haverhill	5	5	1st Essex	2d Essex, ward 4, precinct 3, ward 7, precincts 1, 3. 3d Essex, ward 1, ward 2, precinct 3, ward 3, ward 4, precincts 1, 2, ward 5, precincts 1, 3, ward 6. 18th Essex, ward 2, precincts 1, 2, ward 5, precinct 2, ward 7, precinct 2.

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* 9th Congressional District, precincts 1 and 3.
** 10th Congressional District, precinct 2.

Cities and Towns	Congressional	Councillor	Senatorial	Representative
Hawley	1	8	Berkshire, Hampshire and Franklin	1st Berkshire
Heath	1	8	Berkshire, Hampshire and Franklin	1st Berkshire
Hingham	10	4	Plymouth and Norfolk	3d Plymouth
Hinsdale	1	8	Berkshire, Hampshire and Franklin	2d Berkshire
Holbrook	9	4	Norfolk and Plymouth	3d Norfolk, precincts 2, 3, 4. 5th Norfolk, precinct 1.
Holden	3	7	1st Worcester	1st Worcester
Holland	2	7	Worcester, Hampden, Hampshire and Franklin	1st Hampden
Holliston	3	2	2d Middlesex and Norfolk	8th Middlesex
Holyoke	1	8	2d Hampden and Hampshire	5th Hampden
Hopedale	2	7	Worcester and Norfolk	10th Worcester
Hopkinton	3	2	2d Middlesex and Norfolk	8th Middlesex
Hubbardston	1	7	Worcester, Hampden, Hampshire and Franklin	1st Worcester
Hudson	5	3	Middlesex and Worcester	3d Middlesex
Hull	10	4	Plymouth and Norfolk	3d Plymouth
Huntington	1	8	Berkshire, Hampshire and Franklin	1st Franklin
Ipswich	6	5	1st Essex and Middlesex	4th Essex
Kingston	10	1	Plymouth and Barnstable	12th Plymouth

Lakeville	4	1	1st Bristol and Plymouth	9th Bristol, precinct 1. 12th Bristol, precincts 2, 3.
Lancaster	5	7	Worcester and Middlesex	37th Middlesex, precinct 1. 12th Worcester, precinct 2.
Lanesborough	1	8	Berkshire, Hampshire and Franklin	2d Berkshire
Lawrence	5	5	2d Essex and Middlesex	14th Essex, ward A, precincts 1, 3, ward E, precincts 2, 3, ward F, precincts 1, 2, 4. 16th Essex, ward A, precincts 2, 4, wards B, C, ward D, precincts 3, 4, ward F, precinct 3. 17th Essex, ward D, precincts 1, 2, ward E, precincts 1, 4.
Lee	1	8	Berkshire, Hampshire and Franklin	4th Berkshire
Leicester	2	7	2d Worcester	17th Worcester
Lenox	1	8	Berkshire, Hampshire and Franklin	4th Berkshire
Leominster	1	7	Worcester and Middlesex	4th Worcester
Leverett	1	8	Hampshire and Franklin	1st Franklin
Lexington	7	3 * 6 **	3d Middlesex, precincts 3, 8 and 9. 4th Middlesex, precincts 1, 2, 4-7.	9th Middlesex, precincts 2, 3, 4. 15th Middlesex, precincts 1, 5-9.
Leyden	1	8	Hampshire and Franklin	2d Berkshire
Lincoln	7	3	3d Middlesex	13th Middlesex
Littleton	5	3	Middlesex and Worcester	2d Middlesex
Longmeadow	2	8	1st Hampden and Hampshire	2d Hampden

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* 3d Councillor District, precincts 3, 8 and 9.
** 6th Councillor District, precincts 1, 2, 4, 5, 6 and 7.

Cities and Towns	Congressional	Councillor	Senatorial	Representative
Lowell	5	3	1st Middlesex	16th Middlesex, ward 5, precincts 1, 2, 3, wards 6 and 9. 17th Middlesex, ward 1, ward 2, precinct 3, ward 4, precincts 2, 3, wards 10, 11. 18th Middlesex, ward 2, precincts 1, 2, ward 3, ward 4, precinct 1, wards 7, 8.
Ludlow	2	8	1st Hampden and Hampshire	7th Hampden
Lunenburg	1	7	Worcester and Middlesex	37th Middlesex
Lynn	6	5	3d Essex and Middlesex	8th Essex, ward 3, precinct 4, ward 4, precinct 4. 9th Essex, ward 1, precincts 1, 2. 10th Essex, ward 1, precincts 3, 4, ward 2, ward 3, precincts 1, 2, 3, ward 4, precincts 1, 2, 3, ward 5, precinct 3. 11th Essex, ward 5, precincts 1, 2, 4, wards 6, 7.
Lynnfield	6	6	Middlesex and Essex	9th Essex, precinct 2. 20th Middlesex, precincts 1, 3, 4.
Malden	7	6	Middlesex and Essex	28th Middlesex, ward 7, precinct 2 . 33d Middlesex, ward 2, ward 3, precinct 1, wards 4, 5, 6, 8. 35th Middlesex, ward 1, ward 3, precinct 2, ward 7, precinct 1.
Manchester-by-the-Sea	6	5	1st Essex and Middlesex	4th Essex

Mansfield	4	2	Bristol and Norfolk	1st Bristol, precincts 1, 3, 6. 14th Bristol, precincts 2, 5. 8th Norfolk, precinct 4.
Marblehead	6	5	3d Essex and Middlesex	8th Essex
Marion	4	1	1st Plymouth and Bristol	10th Bristol
Marlborough	3	3	Middlesex and Worcester	4th Middlesex
Marshfield	10	4	Plymouth and Norfolk	4th Plymouth
Mashpee	10	1	Cape and Islands	3d Barnstable, precincts 2, 4, 5. 5th Barnstable, precincts 1, 3.
Mattapoisett	4	1	2d Bristol and Plymouth	10th Bristol
Maynard	5	3	Middlesex and Worcester	3d Middlesex
Medfield	9	2	Bristol and Norfolk	9th Norfolk, precincts 3, 4. 13th Norfolk, precincts 1, 2.
Medford	7	6	2d Middlesex	23d Middlesex, ward 3, precinct 2, ward 6, precincts 1, 2. 34th Middlesex, wards 4, 5, ward 7, precinct 1, ward 8, precinct 2. 35th Middlesex, wards 1, 2, ward 3, precinct 1, ward 7, precinct 2, ward 8, precinct 1.
Medway	3	2	2d Middlesex and Norfolk	8th Middlesex, precinct 1. 10th Norfolk, precincts 2, 3, 4.
Melrose	7	5 * 6 **	Middlesex and Essex, wards 1-5. 3d Essex and Middlesex, wards 6 and 7.	32d Middlesex
Mendon	2	7	Worcester and Norfolk	10th Worcester
Merrimack	6	5	1st Essex	2d Essex

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* 5th Councillor District, wards 6 and 7.

** 6th Councillor District, wards 1, 2, 3, 4 and 5.

Cities and Towns	Congressional	Councillor	Senatorial	Representative
Methuen	5	5	1st Essex	15th Essex, precincts 1-6, 8-12. 18th Essex, precinct 7.
Middleborough	4	1	1st Plymouth and Bristol	10th Bristol, precincts 3, 6. 12th Bristol, precincts 2, 4. 12th Plymouth, precincts 1, 5.
Middlefield	1	8	Berkshire, Hampshire, and Franklin	2d Berkshire
Middleton	6	5	1st Essex and Middlesex	4th Essex, precinct 2. 20th Middlesex, precinct 1.
Milford	2	7	Worcester and Norfolk	10th Worcester
Millbury	2	7	2d Worcester	7th Worcester
Millis	4	2	Norfolk, Bristol and Middlesex	5th Middlesex, precincts 2, 3. 9th Norfolk, precinct 1.
Millville	2	7	Worcester and Norfolk	18th Worcester
Milton	9	2	Norfolk, Bristol and Plymouth	7th Norfolk, precincts 1, 2, 4, 5, 8-11. 12th Suffolk, precincts 3, 6, 7.
Monroe	1	8	Berkshire, Hampshire and Franklin	1st Berkshire
Monson	2	7	Worcester, Hampden, Hampshire and Franklin	2d Hampden
Montague	1	8	Hampshire and Franklin	1st Franklin
Monterey	1	8	Berkshire, Hampshire and Franklin	4th Berkshire
Montgomery	1	8	2d Hampden and Hampshire	1st Hampshire
Mount Washington	1	8	Berkshire, Hampshire and Franklin	4th Berkshire

Nahant	6	5	3d Essex and Middlesex	11th Essex
Nantucket	10	1	Cape and Islands	Barnstable, Dukes and Nantucket
Natick	7	2	2d Middlesex and Norfolk, precincts 1-5, 8. Norfolk, Bristol and Middlesex, precincts 6, 7, 9, 10.	5th Middlesex, precincts 1-9. 14th Norfolk, precinct 10.
Needham	9	2	Norfolk, Bristol and Middlesex	13th Norfolk
New Ashford	1	8	Berkshire, Hampshire and Franklin	2d Berkshire
New Bedford	4	1	2d Bristol and Plymouth	9th Bristol, ward 3, precincts F, G. 11th Bristol, ward 1, precincts A-E, ward 2. 12th Bristol, ward 1, precincts F, G, ward 3, precincts A-E, ward 4, prcincts D, E. 13th Bristol, ward 4, precincts A-C, F, G, wards 5 and 6.
New Braintree	1	7	Worcester, Hampden, Hampshire and Franklin	5th Worcester
Newbury	6	5	1st Essex and Middlesex	2d Essex
Newburyport	6	5	1st Essex	1st Essex
New Marlborough	1	8	Berkshire, Hampshire and Franklin	4th Berkshire
New Salem	1	8	Hampshire and Franklin	1st Franklin

Cities and Towns	Congressional	Councillor	Senatorial	Representative
Newton	4	3	1st Middlesex and Norfolk	10th Middlesex, ward 1, precincts 1, 4, ward 3, precinct 4. 11th Middlesex, ward 1, precincts 2, 3, ward 2, precincts 1, 2, 3, ward 3, precincts 1, 2, 3, ward 4, ward 5, precinct 4, ward 7, precinct 2. 12th Middlesex, ward 5, precincts 1, 2, 3, ward 6, ward 7, precincts 1, 3, 4, ward 8.
Norfolk	4	2	Norfolk, Bristol and Middlesex	9th Norfolk
North Adams	1	8	Berkshire, Hampshire and Franklin	1st Berkshire
Northampton	2	8	Hampshire and Franklin	1st Hampshire
North Andover	6	5	1st Essex, precincts 1, 4, 6 and 8. 1st Essex and Middlesex, precincts 2, 3, 5, 7.	14th Essex, precincts 1-6. 18th Essex, precincts 7, 8.
North Attleborough	3	2	Norfolk, Bristol and Middlesex	14th Bristol
Northborough	3	3 * 7 **	Middlesex and Worcester, precinct 3. 1st Worcester, precincts 1, 2 and 4.	12th Worcester
Northbridge	2	7	Worcester and Norfolk	9th Worcester
North Brookfield	2	7	Worcester, Hampden, Hampshire and Franklin	5th Worcester
Northfield	1	8	Hampshire and Franklin	2d Berkshire
North Reading	6	5	1st Essex and Middlesex	20th Middlesex

Norton	4	2	Bristol and Norfolk	1st Bristol, precincts 3, 4, 5. 4th Bristol, precinct 1. 14th Bristol, precinct 2.
Norwell	10	4	Plymouth and Norfolk	5th Plymouth
Norwood	9	2	Suffolk and Norfolk	12th Norfolk
Oak Bluffs	10	1	Cape and Islands	Barnstable, Dukes and Nantucket
Oakham	1	7	Worcester, Hampden, Hampshire and Franklin	1st Worcester
Orange	1	7	Worcester, Hampden, Hampshire and Franklin	2d Franklin
Orleans	10	1	Cape and Islands	4th Barnstable
Otis	1	8	Berkshire, Hampshire and Franklin	4th Berkshire
Oxford	2	7	Worcester and Norfolk	6th Worcester, precinct 2. 7th Worcester, precincts 1, 3. 8th Worcester, precinct 4.
Palmer	2	7	Worcester, Hampden, Hampshire and Franklin	1st Hampden
Paxton	3	7	1st Worcester	13th Worcester
Peabody	6	5	2d Essex	12th Essex, wards 1-5. 13th Essex, ward 6.
Peiham	1	8	Hampshire and Franklin	1st Franklin
Pembroke	10	1	Plymouth and Barnstable	6th Plymouth
Pepperell	1	3	1st Middlesex	1st Middlesex
Peru	1	8	Berkshire, Hampshire and Franklin	2d Berkshire
Petersham	1	7	Worcester, Hampden, Hampshire and Franklin	5th Worcester

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* 3d Councillor District, precinct 3.
** 7th Councillor District, precincts 1, 2 and 4.

Cities and Towns	Congressional	Councillor	Senatorial	Representative
Phillipston	1	7	Worcester, Hampden, Hampshire and Franklin	5th Worcester
Pittsfield	1	8	Berkshire, Hampshire and Franklin	2d Berkshire, ward 1, precinct B. 3d Berkshire, ward 1, precinct A, wards 2, 3, 4, ward 5, precinct A, wards 6 and 7. 4th Berkshire, ward 5, precinct B.
Plainfield	1	8	Berkshire, Hampshire and Franklin	2d Berkshire
Plainville	3	2	Norfolk, Bristol and Middlesex	9th Norfolk
Plymouth	10	1	Plymouth and Barnstable	1st Plymouth, precincts 2-10, 12, 14. 12th Plymouth, precincts 1, 11, 13.
Plympton	10	1	Plymouth and Barnstable	12th Plymouth
Princeton	3	7	1st Worcester	1st Worcester
Provincetown	10	1	Cape and Islands	4th Barnstable
Quincy	10	4	Norfolk and Plymouth	1st Norfolk, ward 3, precincts 3, 4, ward 4, precincts 1, 3, ward 5, precincts 2, 5, ward 6. 2d Norfolk, ward 1, ward 3, precincts 1, 2, 5, ward 4, precincts 2, 4, ward 5, precincts 1, 3, 4. 3d Norfolk, ward 2, ward 4, precinct 5.
Randolph	9	2	Norfolk, Bristol and Plymouth	1st Norfolk, precincts 5, 6. 5th Norfolk, precinct 3. 7th Norfolk, precincts 1, 2, 4, 7, 8.
Raynham	4	1	1st Plymouth and Bristol	8th Plymouth

Reading	6	6	Middlesex and Essex	20th Middlesex, precincts 1, 4, 6, 7, 8. 30th Middlesex, precincts 2, 3, 5.
Rehoboth	3	2	Bristol and Norfolk	4th Bristol
Revere	7	6	Middlesex, Suffolk and Essex, ward 6. 1st Suffolk and Middlesex, wards 1-5.	16th Suffolk, ward 1, precinct 3, ward 3, precinct 1, ward 4, precincts 1, 2, 3, ward 5, precincts 1, 2, ward 6, precincts 1, 2, 3. 19th Suffolk, ward 1, precincts 1, 2, ward 2, ward 3, precincts 2, 3, ward 5, precinct 3.
Richmond	1	8	Berkshire, Hampshire and Franklin	2d Berkshire
Rochester	4	1	1st Bristol and Plymouth	10th Bristol
Rockland	10	4	Norfolk and Plymouth	5th Plymouth
Rockport	6	5	1st Essex and Middlesex	5th Essex
Rowe	1	8	Berkshire, Hampshire and Franklin	1st Berkshire
Rowley	6	5	1st Essex and Middlesex	2d Essex
Royalston	1	7	Worcester, Hampden, Hampshire and Franklin	2d Worcester
Russell	1	8	2d Hampden and Hampshire	3d Hampden
Rutland	3	7	Worcester, Hampden, Hampshire and Franklin	1st Worcester
Salem	6	5	2d Essex	7th Essex
Salisbury	6	5	1st Essex	1st Essex
Sandisfield	1	8	Berkshire, Hampshire and Franklin	4th Berkshire
Sandwich	10	1	Plymouth and Barnstable	5th Barnstable

Cities and Towns	Congressional	Councillor	Senatorial	Representative
Saugus	6	5 * 6 **	3d Essex and Middlesex, precincts 1, 3-5, 7-9. Middlesex, Suffolk and Essex, precincts 2, 6, 10.	9th Essex, precincts 1, 2, 4-9. 16th Suffolk, precincts 3, 10.
Savoy	1	8	Berkshire, Hampshire and Franklin	1st Berkshire
Scituate	10	4	Plymouth and Norfolk	3d Plymouth, precinct 3. 4th Plymouth, precincts 1, 2, 4-6.
Seekonk	3	2	Bristol and Norfolk	4th Bristol
Sharon	4	2	Bristol and Norfolk, precincts 1, 4, 5. Norfolk, Bristol and Plymouth, precincts 2, 3.	8th Norfolk
Sheffield	1	8	Berkshire, Hampshire and Franklin	4th Berkshire
Shelburne	1	8	Hampshire and Franklin	2d Berkshire
Sherborn	4	2	Norfolk, Bristol and Middlesex	5th Middlesex
Shirley	5	3	Middlesex and Worcester	37th Middlesex
Shrewsbury	3	7	2d Worcester	11th Worcester
Shutesbury	1	8	Hampshire and Franklin	1st Franklin
Somerset	3	1	1st Bristol and Plymouth	5th Bristol
Somerville	8	6	2d Middlesex, ward 1, precincts 2, 3, ward 2, precincts 2, 3, wards 3-7. Middlesex, Suffolk and Essex, ward 1, precinct 1, ward 2, precinct 1.	26th Middlesex, ward 1, ward 2, precincts 1, 2. 27th Middlesex, ward 2, precinct 3, ward 3, ward 4, precinct 3, wards 5 and 6. 34th Middlesex, ward 4, precincts 1, 2, ward 7.

Southampton	1	8	2d Hampden and Hampshire	1st Hampshire
Southborough	3	3	Middlesex and Worcester	4th Middlesex, precinct 1. 8th Middlesex, precincts 2, 3.
Southbridge	2	7	Worcester and Norfolk	6th Worcester
South Hadley	2	8	Hampshire and Franklin	2d Hampshire
Southwick	1	8	2d Hampden and Hampshire	3d Hampden
Spencer	2	7	Worcester, Hampden, Hampshire and Franklin	5th Worcester, precincts 2, 3. 6th Worcester, precincts 1, 4.
Springfield	2	8	Hampden, wards 1, 3, 4, ward 5, precincts A, B, ward 6. 1st Hampden and Hampshire, ward 2, ward 5, precincts C-H, wards 7, 8.	2d Hampden, ward 6, precincts B, C. 6th Hampden, ward 2, precinct E. 7th Hampden, ward 8, precincts E, F, G. 9th Hampden, ward 2, precincts A-D, F-H, ward 5, precincts C, D, G, H, ward 7, precinct H, ward 8, precincts A, B, D, H. 10th Hampden, ward 1, ward 3, precincts B, C, F, G, H, ward 6, precincts A, E, G. 11th Hampden, ward 3, precincts A, D, E, ward 4, ward 5, precincts A, B, E, F, ward 7, precinct A, ward 8, precinct C. 12th Hampden, ward 6, precincts D, F, H, ward 7, precincts B-G.
Sterling	1	7	Worcester and Middlesex	1st Worcester, precinct 1. 12th Worcester, precinct 2.
Stockbridge	1	8	Berkshire, Hampshire and Franklin	4th Berkshire

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* 5th Councillor District, precincts 1, 3-5, 7-9.
** 6th Councillor District, precincts 2, 6, 10.

Cities and Towns	Congressional	Councillor	Senatorial	Representative
Stoneham	7	6	Middlesex and Essex	30th Middlesex, precinct 3. 31st Middlesex, precincts 1, 2, 4, 5, 6, 7.
Stoughton	9	2	Norfolk, Bristol and Plymouth	6th Norfolk, precincts 1, 5, 7, 8. 8th Norfolk, precincts 2, 3, 4, 6.
Stow	5	3	Middlesex and Worcester	3d Middlesex
Sturbridge	2	7	Worcester, Hampden, Hampshire and Franklin	1st Hampden
Sudbury	5	3	3d Middlesex, precincts 1 and 4. Middlesex and Worcester, precincts 2, 3 and 5.	13th Middlesex
Sunderland	1	8	Hampshire and Franklin	1st Franklin
Sutton	2	7	Worcester and Norfolk	7th Worcester, precinct 3. 18th Worcester, precincts 1, 2.
Swampscott	6	5	3d Essex and Middlesex	8th Essex
Swansea	3	1	1st Bristol and Plymouth	4th Bristol, precincts 1, 3-5. 5th Bristol, precinct 2.
Taunton	4	1	1st Plymouth and Bristol	3d Bristol, ward 1, precinct B, wards 2, 3, 5, 7 and 8. 5th Bristol, ward 1, precinct A, ward 4, precinct B, ward 6. 12th Bristol, ward 4, precinct A.
Templeton	1	7	Worcester, Hampden, Hampshire and Franklin	5th Worcester
Tewksbury	5	5	2d Essex and Middlesex	17th Essex, precincts 3, 3A. 19th Middlesex, precincts 1, 1A, 2, 2A, 4 and 4A.

Tisbury	10	1	Cape and Islands	Barnstable, Dukes and Nantucket
Tolland	1	8	2d Hampden and Hampshire	4th Berkshire
Topsfield	6	5	2d Essex	13th Essex
Townsend	1	7	Worcester and Middlesex	1st Middlesex
Truro	10	1	Cape and Islands	4th Barnstable
Tyngsborough	5	3	1st Middlesex	36th Middlesex
Tyringham	1	8	Berkshire, Hampshire and Franklin	4th Berkshire
Upton	2	7	2d Worcester	9th Worcester
Uxbridge	2	7	Worcester and Norfolk	8th Worcester, precinct 3. 18th Worcester, precincts 1, 2, 4.
Wakefield	6	6	Middlesex and Essex	9th Essex, precincts 1, 2, 7. 32d Middlesex, precincts 3-6.
Wales	2	7	Worcester, Hampden, Hampshire and Franklin	1st Hampden
Walpole	9	2	Bristol and Norfolk	8th Norfolk, precincts 3, 4. 9th Norfolk, precinct 5. 11th Norfolk, precinct 8. 12th Norfolk, precincts 1, 2, 6.
Waltham	7	3	3d Middlesex	9th Middlesex, wards 1-4, ward 7, precinct 1. 10th Middlesex, wards 5, 6, ward 7, precinct 2, wards 8, 9.
Ware	1	7	Worcester, Hampden, Hampshire and Franklin	1st Hampden, precincts B, C. 5th Worcester, precinct A.
Wareham	4	1	1st Plymouth and Bristol	2d Plymouth
Warren	2	7	Worcester, Hampden, Hampshire and Franklin	1st Hampden
Warwick	1	7	Worcester, Hampden, Hampshire and Franklin	2d Franklin

Cities and Towns	Congressional	Councillor	Senatorial	Representative
Washington	1	8	Berkshire, Hampshire and Franklin	2d Berkshire
Watertown	7	3	2d Suffolk and Middlesex	10th Middlesex, precinct 10. 29th Middlesex, precincts 1-9, 11, 12.
Wayland	5 * 7 **	2	Norfolk, Bristol and Middlesex	13th Middlesex
Webster	2	7	Worcester and Norfolk	8th Worcester
Wellesley	4	2 # 3 ##	1st Middlesex and Norfolk, precincts A, C-E. Norfolk, Bristol and Middlesex, precincts B, F and G.	14th Norfolk
Wellfleet	10	1	Cape and Islands	4th Barnstable
Wendell	1	8	Hampshire and Franklin	1st Franklin
Wenham	6	5	1st Essex and Middlesex	4th Essex
Westborough	3	3	Middlesex and Worcester	8th Middlesex, precinct 2. 9th Worcester, precincts 3, 5. 11th Worcester, precincts 1, 4.
West Boylston	3	7	1st Worcester	14th Worcester
West Bridgewater	9	2	Norfolk, Bristol and Plymouth	10th Plymouth
West Brookfield	1	7	Worcester, Hampden, Hampshire and Franklin	5th Worcester
Westfield	1	8	2d Hampden and Hampshire	4th Hampden
Westford	5	3	1st Middlesex	2d Middlesex
Westhampton	1	8	Berkshire, Hampshire and Franklin	1st Hampshire

Westminster	1	7	Worcester and Middlesex	1st Worcester
West Newbury	6	5	1st Essex and Middlesex	2d Essex
Weston	7	3	3d Middlesex	14th Norfolk
Westport	4	1	1st Bristol and Plymouth	8th Bristol
West Springfield	1	8	Hampden	6th Hampden
West Stockbridge	1	8	Berkshire, Hampshire and Franklin	4th Berkshire
West Tisbury	10	1	Cape and Islands	Barnstable, Dukes and Nantucket
Westwood	9	2	Suffolk and Norfolk	11th Norfolk
Weymouth	10	4	Plymouth and Norfolk	3d Norfolk, precincts 5, 6, 9, 12, 16. 4th Norfolk, precincts 1-4, 7, 8, 10, 11, 13-15, 17, 18.
Whately	1	8	Hampshire and Franklin	1st Franklin
Whitman	9	4	2d Plymouth and Bristol	7th Plymouth
Wilbraham	2	8	1st Hampden and Hampshire	12th Hampden
Williamsburg	1	8	Berkshire, Hampshire and Franklin	1st Franklin
Williamstown	1	8	Berkshire, Hampshire and Franklin	1st Berkshire
Wilmington	6	5	1st Essex and Middlesex	19th Middlesex, precincts 1, 2, 4-6. 21st Middlesex, precinct 3.
Winchendon	1	7	Worcester, Hampden, Hampshire and Franklin	2d Worcester
Winchester	7	6	2d Middlesex	31st Middlesex
Windsor	1	8	Berkshire, Hampshire and Franklin	2d Berkshire
Winthrop	7	6	1st Suffolk and Middlesex	19th Suffolk

* 5th Congressional District, precincts 1, 3 and 4.
** 7th Congressional District, precinct 2.

# 2d Councillor District, precincts B, F and G.
## 3d Councillor District, precincts A, C-E.

Cities and Towns	Congressional	Councillor	Senatorial	Representative
Woburn	7	6	2d Middlesex, ward 2. 4th Middlesex, wards 1, 3-7.	15th Middlesex, wards 1 and 7. 30th Middlesex, wards 2-6.
Worcester	3	7	1st Worcester, wards 1-4, 9 and 10. 2d Worcester, wards 5-8.	13th Worcester, ward 1, precincts 1-4, ward 9, ward 10, precinct 3. 14th Worcester, ward 1, precinct 5, ward 2, ward 3, precincts 1, 3, 5. 15th Worcester, ward 3, precincts 2, 4, ward 4, ward 5, precinct 3, ward 10, precincts 1, 2, 4, 5. 16th Worcester, ward 5, precincts 1, 2, 4, 5, ward 6, ward 8, precincts 1, 5. 17th Worcester, ward 7, ward 8, precincts 2, 3 and 4.
Worthington	1	8	Berkshire, Hampshire and Franklin	1st Franklin
Wrentham	3	2	Norfolk, Bristol and Middlesex	9th Norfolk
Yarmouth	10	1	Cape and Islands	lst Barnstable, precincts 1, 2, 4 and 7. 2d Barnstable, precincts 3, 5 and 6.

VALUATION, POPULATION AND VOTERS

VALUATION OF THE COMMONWEALTH.

AGGREGATE (BY COUNTIES).

COUNTIES	Equalized Value	Tax of $1000
BARNSTABLE	64,695,052,700	$ 79.28
BERKSHIRE	12,496,513,000	15.31
BRISTOL	46,888,488,200	57.46
DUKES COUNTY	14,111,339,800	17.29
ESSEX	90,198,010,700	110.53
FRANKLIN	6,055,784,600	7.42
HAMPDEN	26,604,561,000	32.60
HAMPSHIRE	10,803,221,500	13.24
MIDDLESEX	218,880,924,200	268.23
NANTUCKET	13,575,803,900	16.64
NORFOLK	101,260,097,900	124.09
PLYMOUTH	59,208,983,200	72.56
SUFFOLK	84,358,479,900	103.38
WORCESTER	66,886,057,600	81.97
Totals	816,023,318,200	1000.00

*Under the provisions of section 10C of Chapter 58 of the General Laws, the Commissioner of Revenue is required to submit final equalization and apportionment upon the several cities and towns of the amount of property and the proportion of every one thousand dollars of state or county tax which should be assessed upon each city and town. The present apportionment listed above constitutes a basis for apportionment for the year 2005 and serves for a two-year basis. The Commissioner submitted this report on January 31, 2005. **[For a detailed summary of the valuation of the Commonwealth, see** *House, No. 2006 of 2003*, **the Biennial Report of the Commissioner of Revenue submitting an equalization and apportionment upon the cities and towns of the amount of property and the proportion of every one thousand dollars of state or county tax which should be assessed upon each city or town.]**

POPULATION OF CITIES IN THE COMMONWEALTH,

WITH THE DATES OF THEIR INCORPORATION.

NAME	INCORPORATED AS CITY	POPULATION, 2000 (U.S. Census)	POPULATION, 1990 (U.S. Census)
Boston	Feb. 23, 1822	589,141	574,283
Worcester	Feb. 29, 1848	172,648	169,759
Springfield	Apr. 12, 1852	152,082	156,983
Lowell	Apr. 1, 1836	105,167	103,439
Cambridge	Mar. 17, 1846	101,355	95,802
Brockton	Apr. 9, 1881	94,304	92,788
New Bedford	Mar. 9, 1847	93,768	99,922
Fall River	Apr. 12, 1854	91,938	92,703
Lynn	Apr. 10, 1850	89,050	81,245
Quincy	May 17, 1888	88,025	84,985
Newton	Jun. 2, 1873	83,829	82,585
Somerville	Apr. 14, 1872	77,478	76,210
Lawrence	Mar. 21, 1853	72,043	70,207
Waltham	Jun. 3, 1884	59,226	57,878
Haverhill	Mar. 10, 1869	58,969	51,418
Malden	Mar. 31, 1881	56,340	53,884
Taunton	May 11, 1864	55,976	49,832
Medford	May 31, 1892	55,765	57,407
Chicopee	Apr. 18, 1890	54,653	56,632
Peabody	May 8, 1916	48,129	47,039
Revere	Jun. 19, 1914	47,283	42,786
Pittsfield	Jun. 5, 1889	45,793	48,622
Attleboro	Jun. 17, 1914	42,068	38,383
Leominster	May 13, 1915	41,303	38,145
Salem	Mar. 23, 1836	40,407	38,091
Westfield	Apr. 9, 1920	40,072	38,372
Beverly	Mar. 23, 1894	39,862	38,195
Holyoke	Apr. 7, 1873	39,838	43,704
Fitchburg	Mar. 8, 1872	39,102	41,194
Everett	Jun. 11, 1892	38,037	35,701
Woburn	May 18, 1888	37,258	35,943
Marlborough	May 3, 1890	36,255	31,813
Chelsea	Mar. 13, 1857	35,080	28,710
Gloucester	Apr. 28, 1873	30,273	28,716
Northampton	Jun. 23, 1883	28,978	29,289
Melrose	Mar. 18, 1899	27,134	28,150
Gardner	Feb. 28, 1923	20,770	20,125
Newburyport	May 24, 1851	17,189	16,317
Easthampton	Aug. 19, 1999	15,994	15,537
North Adams	Mar. 22, 1895	14,681	16,797

POPULATION AND VOTERS

COUNTIES, CITIES AND TOWNS IN THE COMMONWEALTH, WITH THE CENSUS OF INHABITANTS IN 2000 AND 1990, AND A LIST OF VOTERS IN 2002, THE FIGURES BEING FOR THE STATE ELECTION, REVISED AND CORRECTED BY THE SECRETARY OF THE COMMONWEALTH.

COUNTIES, CITIES AND TOWNS	POPULATION		Registered Voters 2002
	U.S. Census 2000	U.S. Census 1990	
BARNSTABLE			
Barnstable	47,821	40,949	33,138
Bourne	18,721	16,064	12,104
Brewster	10,094	8,440	7,957
Chatham	6,625	6,579	6,088
Dennis	15,973	13,864	11,324
Eastham	5,453	4,462	4,173
Falmouth	32,660	27,960	25,355
Harwich	12,386	10,275	9,872
Mashpee	12,946	7,884	9,491
Orleans	6,341	5,838	5,584
Provincetown	3,431	3,561	3,126
Sandwich	20,136	15,489	14,468
Truro	2,087	1,573	1,693
Wellfleet	2,749	2,493	2,521
Yarmouth	24,807	21,174	18,304
Totals	222,230	186,605	165,198
BERKSHIRE			
Adams	8,809	9,445	5,920
Alford	399	418	322
Becket	1,755	1,481	1,116
Cheshire	3,401	3,479	2,225
Clarksburg	1,686	1,745	1,121
Dalton	6,892	7,155	4,816
Egremont	1,345	1,229	927
Florida	676	742	492
Great Barrington	7,527	7,725	4,429
Hancock	721	628	457
Hinsdale	1,872	1,959	1,378
Lanesborough	2,990	3,032	1,947
Lee	5,985	5,849	4,097

COUNTIES, CITIES AND TOWNS	POPULATION		Registered Voters 2002
	U.S. Census 2000	U.S. Census 1990	
Berkshire — *Concluded*			
Lenox	5,077	5,069	3,701
Monterey	934	805	649
Mount Washington	130	135	104
New Ashford	247	192	202
New Marlborough	1,494	1,240	1,001
North Adams	14,681	16,797	8,991
Otis	1,365	1,073	925
Peru	821	779	523
Pittsfield	45,793	48,622	28,476
Richmond	1,604	1,677	1,158
Sandisfield	824	667	491
Savoy	705	634	450
Sheffield	3,335	2,910	2,062
Stockbridge	2,276	2,408	1,623
Tyringham	350	369	266
Washington	544	615	393
West Stockbridge	1,416	1,483	1,090
Williamstown	8,424	8,220	4,742
Windsor	875	770	592
Totals	134,953	139,352	86,686
Bristol			
Acushnet	10,161	9,554	6,946
Attleboro	42,068	38,383	23,992
Berkley	5,749	4,237	3,863
Dartmouth	30,666	27,244	19,363
Dighton	6,175	5,631	4,015
Easton	22,299	19,807	14,084
Fairhaven	16,159	16,132	10,470
Fall River	91,938	92,703	50,460
Freetown	8,472	8,522	5,684
Mansfield	22,414	16,568	13,156
New Bedford	93,768	99,922	56,720
North Attleborough	27,143	25,038	17,955
Norton	18,036	14,265	9,838
Raynham	11,739	9,867	8,166
Rehoboth	10,172	8,656	7,087
Seekonk	13,425	13,046	8,727
Somerset	18,234	17,655	12,238
Swansea	15,901	15,411	11,864
Taunton	55,976	49,832	31,979
Westport	14,183	13,852	11,105
Totals	534,678	506,325	327,712

COUNTIES, CITIES AND TOWNS	POPULATION		Registered Voters 2002
	U.S. Census 2000	U.S. Census 1990	
DUKES COUNTY			
Aquinnah	344	201	352
Chilmark	843	650	806
Edgartown	3,779	3,062	2,808
Gosnold	86	98	134
Oak Bluffs	3,713	2,804	3,187
Tisbury	3,755	3,120	2,687
West Tisbury	2,467	1,704	1,927
Totals	14,987	11,639	11,901
ESSEX			
Amesbury	16,450	14,997	9,716
Andover	31,247	29,151	21,207
BEVERLY	39,862	38,195	24,047
Boxford	7,921	6,266	5,564
Danvers	25,212	24,174	16,519
Essex	3,267	3,260	2,579
Georgetown	7,377	6,384	4,845
GLOUCESTER	30,273	28,716	19,705
Groveland	6,038	5,214	4,178
Hamilton	8,315	7,280	5,556
HAVERHILL	58,969	51,418	32,951
Ipswich	12,987	11,873	7,982
LAWRENCE	72,043	70,207	32,392
LYNN	89,050	81,245	46,082
Lynnfield	11,542	11,274	8,106
Manchester-by-the-Sea	5,228	5,286	3,912
Marblehead	20,377	19,971	13,927
Merrimac	6,138	5,166	4,100
Methuen	43,789	39,990	28,678
Middleton	7,744	4,921	4,464
Nahant	3,632	3,828	2,496
Newbury	6,717	5,623	4,853
NEWBURYPORT	17,189	16,317	12,583
North Andover	27,202	22,792	16,724
PEABODY	48,129	47,039	31,599
Rockport	7,767	7,482	5,470
Rowley	5,500	4,452	3,839
SALEM	40,407	38,091	28,828
Salisbury	7,827	6,882	4,942
Saugus	26,078	25,549	17,434
Swampscott	14,412	13,650	9,891
Topsfield	6,141	3,754	4,106
Wenham	4,440	4,212	2,608
West Newbury	4,149	3,421	2,871
Totals	723,419	670,080	444,754

COUNTIES, CITIES AND TOWNS	POPULATION		Registered Voters 2002
	U.S. Census 2000	U.S. Census 1990	
FRANKLIN			
Ashfield	1,800	1,715	1,204
Bernardston	2,155	2,048	1,484
Buckland	1,991	1,928	1,247
Charlemont	1,358	1,249	819
Colrain	1,813	1,757	1,101
Conway	1,809	1,529	1,446
Deerfield	4,750	5,018	3,528
Erving	1,467	1,372	1,011
Gill	1,363	1,583	1,037
Greenfield	18,168	18,666	10,732
Hawley	336	317	250
Heath	805	716	518
Leverett	1,663	1,785	1,330
Leyden	772	662	573
Monroe	93	115	64
Montague	8,489	8,316	5,087
New Salem	929	802	669
Northfield	2,951	2,838	1,936
Orange	7,518	7,312	4,243
Rowe	351	378	274
Shelburne	2,058	2,012	1,383
Shutesbury	1,810	1,561	1,321
Sunderland	3,777	3,399	2,207
Warwick	750	740	496
Wendell	986	899	626
Whately	1,573	1,375	1,085
Totals	71,535	70,092	45,671
HAMPDEN			
Agawam	28,144	27,323	19,246
Blandford	1,214	1,187	846
Brimfield	3,339	3,001	2,221
Chester	1,308	1,280	834
CHICOPEE	54,653	56,632	33,601
East Longmeadow	14,100	13,367	10,532
Granville	1,521	1,403	1,019
Hampden	5,171	4,709	3,265
Holland	2,407	2,185	1,419
HOLYOKE	39,838	43,704	23,992
Longmeadow	15,633	15,467	11,296
Ludlow	21,209	18,820	12,339
Monson	8,359	7,776	5,029
Montgomery	654	759	525
Palmer	12,497	12,054	7,721
Russell	1,657	1,594	934
Southwick	8,835	7,667	5,663

COUNTIES, CITIES AND TOWNS	POPULATION		Regis-tered Voters 2002
	U.S. Census 2000	U.S. Census 1990	
HAMPDEN — *Concluded*			
SPRINGFIELD	152,082	156,983	85,180
Tolland	426	289	277
Wales	1,737	1,566	1,044
West Springfield	27,899	27,537	16,509
WESTFIELD	40,072	38,372	22,765
Wilbraham	13,473	12,635	9,282
Totals	456,228	456,310	275,539
HAMPSHIRE			
Amherst	34,874	35,228	17,842
Belchertown	12,968	10,579	8,128
Chesterfield	1,201	1,048	749
Cummington	978	785	615
EASTHAMPTON	15,994	15,537	10,527
Goshen	921	830	669
Granby	6,132	5,565	4,015
Hadley	4,793	4,231	3,456
Hatfield	3,249	3,184	2,448
Huntington	2,174	1,987	1,389
Middlefield	542	392	366
NORTHAMPTON	28,978	29,289	18,946
Pelham	1,403	1,373	1,003
Plainfield	589	571	469
South Hadley	17,196	16,685	10.478
Southampton	5,387	4,478	3,916
Ware	9,707	9,808	6,327
Westhampton	1,468	1,327	1,118
Williamsburg	2,427	2,515	1,775
Worthington	1,270	1,156	902
Totals	152,251	146,568	95,138
MIDDLESEX			
Acton	20,331	17,872	12,039
Arlington	42,389	44,630	27,923
Ashby	2,845	2,717	1,832
Ashland	14,674	12,066	9,792
Ayer	7,287	6,871	4,425
Bedford	12,595	12,996	8,548
Belmont	24,194	24,720	16,760
Billerica	38,981	37,609	21,838
Boxborough	4,868	3,343	2,982
Burlington	22,876	23,302	15,501

COUNTIES, CITIES AND TOWNS	POPULATION		Regis-tered Voters 2002
	U.S. Census 2000	U.S. Census 1990	
MIDDLESEX — *Concluded*			
CAMBRIDGE	101,355	95,802	59,917
Carlisle	4,717	4,333	3,305
Chelmsford	33,858	32,383	22,095
Concord	16,993	17,076	11,655
Dracut	28,562	25,594	19,387
Dunstable	2,829	2,236	1,884
EVERETT	38,037	35,701	20,498
Framingham	66,910	64,989	37,564
Groton	9,547	7,511	6,362
Holliston	13,801	12,926	9,672
Hopkinton	13,346	9,191	8,327
Hudson	18,113	17,233	11,935
Lexington	30,355	28,974	20,377
Lincoln	8,056	7,666	4,173
Littleton	8,184	7,051	5,457
LOWELL	105,167	103,439	46,662
MALDEN	56,340	53,884	29,827
MARLBOROUGH	36,255	31,813	18,726
Maynard	10,433	10,325	6,963
MEDFORD	55,765	57,407	34,474
MELROSE	27,134	28,150	18,673
Natick	32,170	30,510	20,139
NEWTON	83,829	82,585	57,828
North Reading	13,837	12,002	9,584
Pepperell	11,142	10,098	7,231
Reading	23,708	22,539	16,172
Sherborn	4,200	3,989	2,954
Shirley	6,373	6,118	3,426
SOMERVILLE	77,478	76,210	42,858
Stoneham	22,219	22,203	14,502
Stow	5,902	5,328	4,171
Sudbury	16,841	14,358	11,323
Tewksbury	28,851	27,266	18,225
Townsend	9,198	8,496	5,501
Tyngsborough	11,081	8,642	6,607
Wakefield	24,804	24,825	16,180
WALTHAM	59,226	57,878	32,420
Watertown	32,986	32,284	20,724
Wayland	13,100	11,874	9,623
Westford	20,754	16,392	13,176
Weston	11,469	10,200	7,733
Wilmington	21,363	17,651	14,091
Winchester	20,810	20,267	14,598
WOBURN	37,258	35,943	22,426
Totals	1,465,396	1,398,468	891,065

COUNTIES, CITIES AND TOWNS	POPULATION		Registered Voters 2002
	U.S. Census 2000	U.S. Census 1990	
NANTUCKET			
Nantucket	9,520	6,012	7,479
Totals	9,520	6,012	7,479
NORFOLK			
Avon	4,443	4,558	3,103
Bellingham	15,314	14,877	9,554
Braintree	33,828	33,836	23,046
Brookline	57,107	54,718	42,627
Canton	20,775	18,530	15,113
Cohasset	7,261	7,075	5,229
Dedham	23,464	23,782	15,677
Dover	5,558	4,915	3,776
Foxborough	16,246	14,637	11,131
Franklin	29,560	22,095	17,588
Holbrook	10,785	11,041	7,143
Medfield	12,273	10,531	7,880
Medway	12,448	9,931	7,971
Millis	7,902	7,613	5,146
Milton	26,062	25,725	17,763
Needham	28,911	27,557	20,259
Norfolk	10,460	9,270	5,654
Norwood	28,587	28,700	19,679
Plainville	7,683	6,871	4,983
QUINCY	88,025	84,985	64,336
Randolph	30,963	30,093	17,636
Sharon	17,408	15,517	12,211
Stoughton	27,149	26,777	19,041
Walpole	22,824	20,212	15,047
Wellesley	26,613	26,615	16,814
Westwood	14,117	12,557	9,327
Weymouth	53,988	54,063	35,115
Wrentham	10,554	9,006	6,941
Totals	650,308	616,087	439,790
PLYMOUTH			
Abington	14,605	13,817	9,494
Bridgewater	25,185	21,249	13,404
BROCKTON	94,304	92,788	46,207
Carver	11,163	10,590	7,858
Duxbury	14,248	13,895	10,332
East Bridgewater	12,974	11,104	7,985
Halifax	7,500	6,526	4,995
Hanover	13,164	11,912	8,388

COUNTIES, CITIES AND TOWNS	POPULATION		Registered Voters 2002
	U.S. Census 2000	U.S. Census 1990	
PLYMOUTH — *Concluded*			
Hanson	9,495	9,028	6,474
Hingham	19,882	19,821	14,252
Hull	11,050	10,466	8,434
Kingston	11,780	9,045	7,809
Lakeville	9,821	7,785	6,479
Marion	5,123	4,496	3,671
Marshfield	24,324	21,531	17,297
Mattapoisett	6,268	5,850	4,648
Middleborough	19,941	17,867	12,767
Norwell	9,765	9,279	6,717
Pembroke	16,927	14,544	11,105
Plymouth	51,701	45,608	33,858
Plympton	2,637	2,384	1,866
Rochester	4,581	3,921	3,230
Rockland	17,670	16,123	11,178
Scituate	17,863	16,786	14,110
Wareham	20,335	19,232	13,673
West Bridgewater	6,634	6,389	4,748
Whitman	13,882	13,240	8,878
Totals	472,822	435,276	299,857
SUFFOLK			
BOSTON	589,141	574,283	365,424
CHELSEA	35,080	28,710	12,415
REVERE	47,283	42,786	25,140
Winthrop	18,303	18,127	11,674
Totals	689,807	663,906	414,653
WORCESTER			
Ashburnham	5,546	5,433	4,003
Athol	11,299	11,451	6,681
Auburn	15,901	15,005	11,285
Barre	5,113	4,546	3,244
Berlin	2,380	2,293	1,753
Blackstone	8,804	8,023	5,606
Bolton	4,148	3,134	2,885
Boylston	4,008	3,517	2,716
Brookfield	3,051	2,968	2,127
Charlton	11,263	9,576	7,982
Clinton	13,435	13,222	8,666
Douglas	7,045	5,438	5,314
Dudley	10,036	9,540	6,198
East Brookfield	2,097	2,033	1,369

COUNTIES, CITIES AND TOWNS	POPULATION		Registered Voters 2002
	U.S. Census 2000	U.S. Census 1990	
WORCESTER — *Concluded*			
FITCHBURG	39,102	41,194	21,916
GARDNER	20,770	20,125	11,166
Grafton	14,894	13,035	10,771
Hardwick	2,622	2,385	1,713
Harvard	5,981	12,329	3,709
Holden	15,621	14,628	11,162
Hopedale	5,907	5,666	4,190
Hubbardston	3,909	2,797	2,631
Lancaster	7,380	6,661	4,147
Leicester	10,471	10,191	6,792
LEOMINSTER	41,303	38,145	25,447
Lunenburg	9,401	9,117	6,621
Mendon	5,286	4,010	3,581
Milford	26,799	25,355	14,971
Millbury	12,784	12,228	8,364
Millville	2,724	2,236	1,721
New Braintree	927	881	609
North Brookfield	4,683	4,708	2,963
Northborough	14,013	11,929	8,917
Northbridge	13,182	13,371	9,427
Oakham	1,673	1,503	1,123
Oxford	13,352	12,588	8,325
Paxton	4,386	4,047	3,225
Petersham	1,180	1,131	837
Phillipston	1,621	1,485	974
Princeton	3,353	3,189	2,464
Royalston	1,254	1,147	794
Rutland	6,353	4,936	4,105
Shrewsbury	31,640	24,146	20,561
Southborough	8,781	6,628	5,900
Southbridge	17,214	17,816	10,617
Spencer	11,691	11,645	7,587
Sterling	7,257	6,481	5,071
Sturbridge	7,837	7,775	5,316
Sutton	8,250	6,824	5,679
Templeton	6,799	6,438	4,403
Upton	5,642	4,677	4,622
Uxbridge	11,156	10,415	8,410
Warren	4,776	4,437	2,747
Webster	16,415	16,196	9,830
Westborough	17,997	14,133	11,087
West Boylston	7,481	6,611	4,378
West Brookfield	3,804	3,532	2,425
Westminster	6,907	6,191	4,867
Winchendon	9,611	8,805	5,822
WORCESTER	172,648	169,759	95,392
Totals	750,963	709,705	467,208

RECAPITULATION.

COUNTIES	Number of Cities and Towns	POPULATION		Registered Voters State Election 2002
		U.S. Census 2000	U.S. Census 1990	
BARNSTABLE	15	222,230	186,605	165,198
BERKSHIRE	32	134,953	139,352	86,686
BRISTOL	20	534,678	506,325	327,712
DUKES COUNTY	7	14,987	11,639	11,901
ESSEX	34	723,419	670,080	444,754
FRANKLIN	26	71,535	70,092	45,671
HAMPDEN	23	456,228	456,310	275,539
HAMPSHIRE	20	152,251	146,568	95,138
MIDDLESEX	54	1,465,396	1,398,468	891,065
NANTUCKET	1	9,520	6,012	7,479
NORFOLK	28	650,308	616,087	439,790
PLYMOUTH	27	472,822	435,276	299,857
SUFFOLK	4	689,807	663,906	414,653
WORCESTER	60	750,963	709,705	467,208
Totals	351	6,349,097	6,016,425	3,972,651

VOTE FOR PRESIDENT,
MEMBERS OF CONGRESS
AND
STATE OFFICERS

VOTE FOR ELECTORS OF PRESIDENT AND VICE PRESIDENT IN 2004 (BY COUNTIES)

ELECTION, NOVEMBER 2, 2004

AGGREGATE

COUNTIES	Badnarik and Campagna Libertartarian	Bush and Cheney Reform Party	Cobb and LaMarche Gree-Rainbow	Kerry and Edwards Democratic	Nader and Camejo Write-In	All Others	Blanks	Total Votes Cast
BARNSTABLE	485	348	49,686	62,363	93	135	1,238	15,022
BERKSHIRE	795	251	15,805	37,934	118	36	1,003	60,414
BRISTOL	1,012	1,132	62,848	136,325	192	274	2,548	213,885
DUKES COUNTY	40	24	2,315	5,474	9	11	49	8,905
ESSEX	1,781	1,243	110,010	178,400	471	472	3,041	313,374
FRANKLIN	336	110	10,176	17,945	85	81	427	33,793
HAMPDEN	1,144	640	59,558	100,103	161	161	3,220	175,313
HAMPSHIRE	532	205	19,202	38,543	61	68	890	69,516
MIDDLESEX	4,337	2,582	198,914	404,043	604	1,023	6,576	663,624
NANTUCKET	26	11	1,624	2,874	2	11	38	4,964
NORFOLK	1,651	1,350	107,033	188,450	221	967	2,820	319,997
PLYMOUTH	1,100	863	82,751	115,376	151	302	1,835	213,412
SUFFOLK	1,170	1,071	44,441	154,888	326	53	4,178	221,178
WORCESTER	1,957	1,319	114,139	173,769	390	396	3,159	313,307
Totals	15,022	1,071,109	10,623	1,803,800	4,806	7,028	15,067	2,927,455

VOTE FOR SENATOR IN CONGRESS

ELECTION, NOVEMBER 5, 2002.

AGGREGATE OF VOTES FOR SENATOR IN CONGRESS

CITIES AND TOWNS	John F. Kerry of Boston Democratic	Michaerl E. Cloud of Wayland Libertarian	Randall Forsberg of Cambridge Write-In	All Others	Blanks	Total Votes Cast
BARNSTABLE	70,393	20,696	640	332	10,779	102,840
BERKSHIRE	34,521	5,424	349	49	3,576	43,919
BRISTOL	122,104	24,489	188	316	12,892	159,989
DUKES COUNTY	5,487	864	150	11	560	7,072
ESSEX	186,309	45,956	1,260	656	24,537	258,718
FRANKLIN	18,654	3,757	1,827	123	2,111	26,472
HAMPDEN	100,616	21,696	214	564	14,190	137,280
HAMPSHIRE	39,448	7,398	3,258	436	4,503	55,043
MIDDLESEX	395,087	91,951	11,429	1,674	47,524	547,665
NANTUCKET	3,008	604	17	12	327	3,968
NORFOLK	192,342	45,235	2,314	766	24,672	265,329
PLYMOUTH	123,597	34,623	396	416	16,164	175,196
SUFFOLK	129,026	20,634	2,138	100	28,251	180,149
WORCESTER	185,384	46,480	718	622	23,457	256,661
Totals	**1,605,976**	**369,807**	**24,898**	**6,077**	**213,543**	**2,220,301**

REPRESENTATIVES — ONE HUNDRED NINTH CONGRESS

Election, November 2, 2004.

District	
No. 1.	John W. Olver *(D)* of Amherst.
No. 2.	Richard E. Neal *(D)* of Springfield.
No. 3.	James P. McGovern *(D)* of Worcester.
No. 4.	Barney Frank *(D)* of Newton.
No. 5.	Martin T. Meehan *(D)* of Lowell.
No. 6.	John F. Tierney *(D)* of Salem.
No. 7.	Edward J. Markey *(D)* of Malden.
No. 8.	Michael E. Capuano *(D)* of Somerville.
No. 9.	Stephen F. Lynch *(D)* of Boston.
No. 10.	William D. Delahunt *(D)* of Quincy.

VOTE FOR REPRESENTATIVES IN CONGRESS.

ELECTION, NOVEMBER 2, 2004.

FIRST CONGRESSIONAL DISTRICT.

John W. Olver of Amherst (Democrat)	229,465
All others	2,282
Blanks	63,461
Total Votes Cast	295,208

SECOND CONGRESSIONAL DISTRICT.

Richard E. Neal of Springfield (Democrat)	217,682
All others	2,802
Blanks	67,387
Total Votes Cast	287,871

THIRD CONGRESSIONAL DISTRICT.

James P. McGovern of Worcester (Democrat)	192,036
Ronald A. Crews of Ashland (Republican)	80,197
All others	179
Blanks	13,584
Total Votes Cast	285,996

FOURTH CONGRESSIONAL DISTRICT.

Barney Frank of Newton (Democrat)	219,260
Charles A. Morse of Brookline (Independent)	62,293
All others	486
Blanks	17,744
Total Votes Cast	299,783

FIFTH CONGRESSIONAL DISTRICT.

Martin T. Meehan of Lowell (Democrat)	179,652
Thomas P. Tierney of Framingham (Republican)	88,232
All others	305
Blanks	12,121
Total Votes Cast	280,310

SIXTH CONGRESSIONAL DISTRICT.

John F. Tierney of Salem (Democrat)	213,458
Stephen P. O'Malley, Jr., of Nahant (Republican)	91,597
All others	467
Blanks	16,214
Total Votes Cast	252,867

SEVENTH CONGRESSIONAL DISTRICT.

Edward J. Markey of Malden (Democrat)	202,399
Kenneth G. Chase of Belmont (Republican)	60,334
James O. Hall of Arlington (Independent)	12,139
All others	227
Blanks	17,088
Total Votes Cast	292,187

EIGHTH CONGRESSIONAL DISTRICT.

Micabel E. Capuano of Somerville (Democrat)	165,852
All others	2,229
Blanks	47,719
Total Votes Cast	215,800

NINTH CONGRESSIONAL DISTRICT.

Stephen F. Lynch of Boston (Democrat)	218,167
All others	2,145
Blanks	77,514
Total Votes Cast	297,826

TENTH CONGRESSIONAL DISTRICT.

William D. Delahunt of Quincy (Democrat)	222,013
Michael J. Jones of Plymouth (Republican)	114,879
All others	178
Blanks	13,668
Total Votes Cast	350,738

For complete and detailed results of the 2004 Congressional elections, please see **Public Document No. 43 – Massachusetts Elections Statistics 2004,** published by the Elections Division of the Secretary of State's Office and also produced on-line on the Secretary's home page at **www.state.ma.us/sec/ele/eleres/04return/04residx.htm.**

AGGREGATE VOTE FOR GOVERNOR AND LIEUTENANT-GOVERNOR IN 2002.

COUNTIES	Howell and Aucoin Libertarian	O,Brien and Gabrieli Democratic	Romney and Healey Republican	Stein and Lorenzen Massachusetts Green	Johnson and Schebel Unenrolled		All others	Blanks	Total Votes Cast
BARNSTABLE	825	39,640	57,466	3,515	496		51	847	102,840
BERKSHIRE.........	437	26,963	13,897	1,410	418		16	778	43,919
BRISTOL...........	1,914	80,275	71,189	3,418	1,447		81	1,665	159,989
DUKES COUNTY.....	78	3,688	2,815	325	52		3	111	7,072
ESSEX	2,707	100,798	141,932	8,071	1,887		151	3,172	258,718
FRANKLIN..........	360	14,438	9,381	1,820	261		14	198	26,472
HAMPDEN..........	1,396	63,470	66,114	2,838	1,458		100	1,904	137,280
HAMPSHIRE	495	32,229	18,358	2,945	445		33	538	55,043
MIDDLESEX	5,530	241,934	267,579	23,568	2,962		358	5,734	547,665
NANTUCKET........	46	1,746	1,974	131	26		1	44	3,968
NORFOLK..........	2,280	110,198	140,440	8,279	1,539		182	2,411	265,329
PLYMOUTH.........	1,966	65,978	100,029	4,513	1,183		95	1,432	175,196
SUFFOLK	1,503	105,280	60,623	7,211	1,028		34	4,470	180,149
WORCESTER........	3,507	99,344	140,191	8,486	2,133		182	2,818	256,661
Total	23,044	985,981	1,091,988	76,530	15,335		1,301	26,122	2,220,301

For complete and detailed results of the 2000 Presidential Election, please see **Public Document No. 43, Massachusetts Elections Statistic 2000,** and for complete and detailed results of 2002 Vote for Senator in Congress and Governor and Lieutenant-Governor, please see **Public Document No. 43 Massachusetts Elections Statistics 2002,** published by the Elections Division of the Secretary of State's Office and also produced on-line on the Secretary's home page at **www.state.ma.us/sec/ele/elers/02returns/02residx.htm**

VOTE FOR STATE OFFICERS.

ELECTION, NOVEMBER 5, 2002.

FOR GOVERNOR AND LIEUTENANT GOVERNOR.

Howell and Aucoin (Libertarian)	23,044
O'Brien and Gabrieli (Democrat)	985,981
Romney and Healey (Republican)	1,091,988
Stein and Lorenzen (Massachusetts Green)	76,530
Johnson and Schebel (Independent)	15,335
All others	1,301
Blanks	26,122
Total Votes Cast	2,220,301

FOR ATTORNEY GENERAL.

Thomas F. Reilly of Watertown (Democrat)	1,602,817
All others	12,326
Blanks	605,158
Total Votes Cast	2,220,301

FOR SECRETARY.

William Francis Galvin of Boston (Democrat)	1,472,562
Jack E. Robinson III, of Boston (Republican)	516,260
All others	1,832
Blanks	229,647
Total Votes Cast	2,220,301

FOR TREASURER AND RECEIVER GENERAL.

Timothy P. Cahill of Quincy (Democrat)	1,040,281
Daniel A. Grabauskas of Ipswich (Republican)	848,904
James O'Keefe of Somerville (Massachusetts Green)	163,559
All others	830
Blanks	166,727
Total Votes Cast	2,220,301

FOR AUDITOR.

A. Joseph DeNucci of Newton (Democrat)	1,456,880
Kamal Jain of Littleton (Libertarian)	133,997
John James Xenakis of Framingham (Independent)	227,974
All others	2,065
Blanks	349,385
Total Votes Cast	2,220,301

For complete and detailed results of the 2002 State Officers elections, please see **Public Document No. 43 -- Massachusetts Elections Statistics 2002,** published by the Elections Division of the Secretary of State's Office.

VOTE FOR EXECUTIVE COUNCILLORS.

ELECTION, NOVEMBER 2, 2004.

FIRST DISTRICT

Carole A. Fiola of Fall River (Democratic)	267,782
All others	2,189
Blanks	134,416
Total Votes Cast	404,387

SECOND DISTRICT

Kelly A. Timilty of Boston (Democratic)	262,951
All others	2,643
Blanks	128,324
Total Votes Cast	393,918

THIRD DISTRICT

Marilyn M. Petitto Devaney of Watertown (Democratic)	240,968
All others	3,157
Blanks	123,600
Total Votes Cast	367,725

FOURTH DISTRICT

Christopher A. Iannella, Jr., of Boston (Democratic)	185,582
Donald A. Hussey, of Hingham (Republican)	67,625
Brian Connolly o fHanover (Unenrolled)	40,485
All others	419
Blanks	45,799
Total Votes Cast	339,910

FIFTH DISTRICT

Mary-Ellen Manning of Salem (Democratic)	253,195
All others	2,639
Blanks	120,506
Total Votes Cast	376,340

SIXTH DISTRICT

Michael J. Callahan of Medford (Democratic)	227,682
All others	2,227
Blanks	111,802
Total Votes Cast	269,014

SEVENTH DISTRICT

Thomas J. Foley of Worcester (Democratic)	245,682
All others	3,052
Blanks	110,517
Total Votes Cast	359,251

EIGHTH DISTRICT

Thomas T. Merrigan of Greenfield (Democratic)	176,656
Aaron Bennie Wilson of Holyoke (Independent)	102,830
All others	522
Blanks	64,294
Total Votes Cast	344,302

STATISTICS

STATE, POST OFFICE, COUNTY

GOVERNORS AND LIEUT.-GOVERNORS.

CHOSEN ANNUALLY BY THE PEOPLE

GOVERNORS OF PLYMOUTH COLONY.

1620 Nov. 11,	John Carver
1621 April,	William Bradford
1633 Jan. 1,	Edward Winslow.
1634 Mar. 27,	Thomas Prence.
1635 Mar. 3,	William Bradford.
1636 Mar. 1,	Edward Winslow.
1637 Mar. 7,	William Bradford.
1638 June 5,	Thomas Prence.
1639 June 3,	William Bradford.
1644 June 5,	Edward Winslow.
1645 June 4,	William Bradford.
1657 June 3,	Thomas Prence.
1673 June 3,	Josiah Winslow.
1680 Dec. 18,	Thomas Hinckley.*

DEPUTY-GOVERNORS OF PLYMOUTH COLONY.

1680	Thomas Hinckley. †
1681	James Cudworth.
1682	William Bradford, to 1686.
1689	William Bradford, to 1692.

CHOSEN ANNUALLY UNDER THE FIRST CHARTER.

GOVERNORS OF MASSACHUSETTS BAY COLONY.

1629 Mar. 4,	Matthew Cradock.‡
1629 Apr. 30,	John Endicott.‡
1629 Oct. 20,	John Winthrop.‡
1634 May 14,	Thomas Dudley.
1635 May 6,	John Haynes.
1636 May 25,	Henry Vane.
1637 May 17,	John Winthrop.
1640 May 3,	Thomas Dudley.
1641 June 2,	Richard Bellingham.
1642 May 18,	John Winthrop.
1644 May 29,	John Endicott.
1645 May 14,	Thomas Dudley.
1646 May 6,	John Winthrop.
1649 May 2,	John Endicott.
1650 May 22,	Thomas Dudley.
1651 May 7,	John Endicott.
1654 May 3,	Richard Bellingham.
1655 May 23,	John Endicott.
1665 May 3,	Richard Bellingham.
1672 Dec. 12,	John Leverett (act'g).
1673 May 7,	John Leverett.
1679 May 28,	Simon Bradstreet, to May 20, 1686.

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* Mr. Hinckley was Governor till the union of the colonies in 1692, except during the administration of Andros.

† Previously there was no Deputy-Governor, a Governor *pro tem* being appointed by the Governor to serve in his absence.

‡ A patent of King James I, dated Nov. 3, 1620, created the Council for New England and granted it the territory in North America from 40° to 48° N. latitude and from sea to sea, to

Deputy-Governors of Massachusetts Bay Colony.

1629	Thomas Goffe,	*to Oct. 20, 1629
1629	Thomas Dudley	1634
1634	Roger Ludlow	1635
1635	Richard Bellingham	1636
1636	John Winthrop	1637
1637	Thomas Dudley	1640
1640	Richard Bellingham	1641
1641	John Endicott	1644
1644	John Winthrop	1646
1646	Thomas Dudley	1650
1650	John Endicott	to 1651
1651	Thomas Dudley	1653
1653	Richard Bellingham	1654
1654	John Endicott	1655
1655	Richard Bellingham	1665
1665	Francis Willoughby	1671
1671	John Leverett	1673
1673	Sam' l Symonds, to Oct	1678
1678	Oct., Simon Bradstreet	1679
1679	Thomas Danforth	1686

be known thereafter as New England in America. By instrument of March 19, 1628, the Council for New England granted to Sir Henry Rosewell and others the territory afterwards confirmed by royal Charter to the "Governor and Company of the Massachusetts Bay in New England." This Charter, which passed the seals March 4, 1629, designated Matthew Cradock as the first Governor of the Company and Thomas Goffe as the first Deputy-Governor. Both had held similar offices from the grantee under the instrument of March 19, 1628. On May 13, 1629, the same persons were rechosen by the Company; but they never came to New England. On Oct. 20, 1629, John Winthrop was chosen Governor of the Company and John Humfrey Deputy-Governor. Humfrey having declined the service, Thomas Dudley was chosen in his stead.

John Endicott had been sent over in 1628, with a small band, as the agent of the grantees under the instrument of March 19, 1628. While Cradock was Governor of the Company, a commission, dated April 30, 1629, was sent out to Endicott at Salem appointing him "Governor of London's Plantation in the Massachusetts Bay in New England." In the exercise of this commission he was subordinate to the "Governor and Company" in London, by whom he was deputed, and who, from time to time, sent him elaborate instructions for his conduct. Cradock and Endicott were thus chief governor and local governor, respectively, from April 30, 1629, or, rather, from the time when Endicott's commission reached Salem, a few weeks later, until Oct. 20, 1629; and Winthrop and Endicott were chief and local governors, respectively, from that date until the arrival of Winthrop at Salem with the charter, June 12, 1630, when Endicott's powers merged in the general authority of Winthrop.

* Thomas Goffe, the first Deputy-Governor, never came to New England. John Humfrey was elected, but did not serve.

THE INTER-CHARTER PERIOD.

On May 25, 1686, Joseph Dudley became President of New England under a commission of King James II, and had jurisdiction over the royal dominions in New England. This office he held till December 20, the same year, when Sir Edmund Andros became Governor of New England, appointed by King James II. On April 18, 1689, Governor Andros was deposed by a revolution of the people.

AFTER THE DISSOLUTION OF THE FIRST CHARTER.

Simon Bradstreet was Governor from June 7, 1689, to May 16, 1692 and Thomas Danforth was Deputy-Governor during the same time.

APPOINTED BY THE KING UNDER SECOND CHARTER.

GOVERNORS OF THE PROVINCE OF THE MASSACHUSETTS BAY.

1692	May 16,	Sir William Phips.
1694	Dec. 4,	*William Stoughton.* *
1699	May 26,	Richard Coote. †
1700	July 17,	*William Stoughton.*
1701	July 7,	The Council.
1702	June 11,	Joseph Dudley.
1715	Feb. 4,	The Council.
1715	Mar. 21,	Joseph Dudley.
1715	Nov. 9,	*William Tailer.‡*
1716	Oct. 5,	Samuel Shute.
1723	Jan. 1,	*William Dummer.*
1728	July 19,	William Burnet.
1729	Sept. 7,	*William Dummer.*
1730	June 11,	*William Tailer.*
1730	Aug. 10,	Jonathan Belcher.
1741	Aug. 14,	William Shirley.
1749	Sept. 11,	*Spencer Phips.*
1753	Aug. 7,	William Shirley.
1756	Sept. 25,	*Spencer Phips.*
1757	April 4,	The Council.
1757	Aug. 3,	Thomas Pownell.
1760	June 3,	*Thomas Hutchinson.*
1760	Aug. 2,	Francis Bernard.
1769	Aug. 2,	*Thomas Hutchinson.*
1771	Mar. 14,	Thomas Hutchinson.
1774	May 17,	Thomas Gage.

LIEUTENANT-GOVERNORS OF THE PROVINCE OF THE MASSACHUSETTS BAY.

1692 William Stoughton, to July, 1701
1702 Thomas Povey 1706
1706 Jan., vacancy to Oct 1711
1711 William Tailer.
1716 William Dummer.
1730 William Tailer.
1732 Spencer Phips.
1758 Thomas Hutchinson.
1771 Andrew Oliver
1714 Thomas Oliver.

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* Those whose names are printed in *italics* were Acting Governors.

† Richard Coote, Earl of Bellomont.

‡ On Nov. 9, 1715, Elizeus Burgess was proclaimed Governor, he having been commissioned on March 17, 1715, but he never came over to perform his duties, and resigned the office in April, 1716.

UNTIL THE CONSTITUTION.

1774 Oct., a Provincial Congress 1775 July, The Council.

UNDER THE CONSTITUTION.

GOVERNORS OF THE COMMONWEALTH OF MASSACHUSETTS.

1780	John Hancock	to 1785
1785	James Bowdoin	1787
1787	John Hancock, Oct. 8	1793
1794	Samuel Adams	1797
1797	Increase Sumner, June 7	1799
1800	Caleb Strong	1807
1807	Jas. Sullivan, Dec. 10	1808
1809	Christopher Gore	1810
1810	Elbridge Gerry	1812
1812	Caleb Strong	1816
1816	John Brooks	1823
1823	Wm. Eustis, Feb. 6	1825
1825	Levi Lincoln	1834
1834	John Davis, March 1	1835
1836	Edward Everett	1840
1840	Marcus Morton	1841
1841	John Davis	1843
1843	Marcus Morton	1844
1844	George N. Briggs	1851
1851	George S. Boutwell	1853
1853	John H. Clifford	1854
1854	Emory Washburn	1855
1855	Henry J. Gardner	1858
1858	Nathaniel P. Banks	1861
1861	John A. Andrew	1866
1866	Alexander H. Bullock	1869
1869	William Claflin	1872
1872	William B. Washburn*	1874
1875	William Gaston	1876
1876	Alexander H. Rice	1879
1879	Thomas Talbot	1880
1880	John Davis Long	to 1883
1883	Benjamin F. Butler	1884
1884	George D. Robinson	1887
1887	Oliver Ames	1890
1890	John Q. A. Brackett	1891
1891	William E. Russell	1894
1894	Frederick T. Greenhalge†	1896
1897	Roger Wolcott	1900
1900	W. Murray Crane	1903
1903	John L. Bates	1905
1905	William L. Douglas	1906
1906	Curtis Guild, Jr.	1909
1909	Eben S. Draper	1911
1911	Eugene N. Foss	1914
1914	David I. Walsh	1916
1916	Samuel W. McCall	1919
1919	Calvin Coolidge‡	1921
1921	Channing H. Cox	1925
1925	Alvan T. Fuller	1929
1929	Frank G. Allen	1931
1931	Joseph B. Ely	1935
1935	James M. Curley	1937
1937	Charles F. Hurley	1939
1939	Leverett Saltonstall	1945
1945	Maurice J. Tobin	1947
1947	Robert F. Bradford	1949
1949	Paul A. Dever	1953
1953	Christian A. Herter	1957
1957	Foster Furcolo	1961
1961	John A. Volpe	1963
1963	Endicott Peabody	1965
1965	John A. Volpe**	1969
1971	Francis W. Sargent***	1975
1975	Michael S. Dukakis	1979
1979	Edward J. King	1983
1983	Michael S. Dukakis	1990
1991	William F. Weld §	1997
1997	Argeo Paul Cellucci ‖	2001
2003	Mitt Romney	2007
2007	Deval L. Patrick	

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* Resigned April 29, 1874. Chosen U.S. Senator April 17, 1874.

† Died March 5, 1896.

‡ Vice President of the United States, 1921-23; President, Aug. 3, 1923, to March 4, 1929.

** Elected November 8, 1966 to a four-year term under Article LXXXII of the Amendments to the Constitution. Appointed U.S. Secretary of Transportation, Jan. 22, 1969.

*** Acting Governor from Jan. 22, 1969; elected Governor Nov. 3, 1970, qualified Jan. 7, 1971.

§ Resigned July 29, 1997.

‖ Acting Governor from July 29, 1997, elected Governor Nov. 3, 1998, qualified Jan. 7, 1999; resigned April 10, 2001.

Lieutenant-Governors of The Commonwealth of Massachusetts.

1780	*Thos. Cushing,* to Feb. 28,*	1788
1788	Benjamin Lincoln	1789
1789	*Samuel Adams*	1794
1794	*Moses Gill,* May 20†	1800
1801	Sam'l Phillips, Feb. 10	1802
1802	Edward H. Robbins	1806
1807	*Levi Lincoln*‡	1809
1809	David Cobb	1810
1810	William Gray	1812
1812	William Phillips	1823
1823	Levi Lincoln, Feb.	1824
1824	*Marcus Morton,* July	1825
1826	Thomas L. Winthrop	1833
1833	*Samuel T. Armstrong*	1836
1836	George Hull	1843
1843	Henry H. Childs	1844
1844	John Reed	1851
1851	Henry W. Cushman	1853
1853	Elisha Huntington	1854
1854	William C. Plunkett	1855
1855	Simon Brown	1856
1856	Henry W. Benchley	1858
1858	Eliphalet Trask	1861
1861	John Z. Goodrich, Mar. 29,	1861
1862	John Nesmith, Sept.	1862
1863	Joel Hayden	1866
1866	William Claflin	1869
1869	Joseph Tucker	1873
1873	*Thomas Talbot*§	1875
1875	Horatio G. Knight	1879
1879	John Davis Long	1880
1880	Byron Weston	1883
1883	Oliver Ames	1887
1887	John Q. A. Brackett	1890
1890	William H. Haile	1893
1893	*Roger Wolcott* ‖	1897
1897	W. Murray Crane	1900
1900	John L. Bates	1903
1903	Curtis Guild, Jr.	1906
1906	Eben S. Draper	1909
1909	Louis A. Frothingham	1912
1912	Robert Luce	1913
1913	David I. Walsh	1914
1914	Edward P. Barry	1915
1915	Grafton D. Cushing	1916
1916	Calvin Coolidge	1919
1919	Channing H. Cox	1921
1921	Alvan T. Fuller	1925
1925	Frank G . Allen	1929
1929	William S. Youngman	1933
1933	Gaspar G. Bacon	1935
1935	Joseph L. Hurley	1937
1937	Francis E. Kelly	1939
1939	Horace T. Cahill	1945
1945	Robert F. Bradford	1947
1947	Arthur W. Coolidge	1949
1949	Charles F. Jeff Sullivan	1953
1953	Sumner Gage Whittier	1957
1957	Robert F. Murphy**	1960
1961	Edward F. McLaughlin, Jr.	1963

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* The Lieutenant-Governors whose names are in italics were Acting Governors also during vacancies in the office of Governor.

† Mr. Gill died on the 20th of May, 1800, and the Commonwealth, for the only time under the Constitution, was without a Governor and Lieutenant-Governor. The Council, Hon. Thomas Dawes, President, officiated until the 30th of the month, when Caleb Strong was inaugurated Governor.

‡ General William Heath was elected in 1806, and declined to accept the office .

§ Acting Governor from April 29, 1874.

‖ Acting Governor from March 5, 1896.

** Appointed Commissioner of the Metropolitan District Commission on Oct. 6, 1960.

1963	Francis X. Bellotti	1965
1965	Elliot L. Richardson	1967
1967	*Francis W. Sargent* ***	1971
1971	Donald R. Dwight	1975
1975	Thomas P. O'Neill III	1983
1983	John F. Kerry #	1985
1987	Evelyn F. Murphy	1990
1991	Argeo Paul Cellucci †	1997
1999	*Jane M. Swift*****	2002
2003	Kerry Healey	2007
2007	Timothy P. Murray	

*** Elected November 8, 1966 to a four-year term under Article LXXXII of the Amendments to the Constitution. Acting Governor from Jan. 22, 1969.

Elected November 2, 1982 to a four-year term under Article LXXXII of the Amendments to the Constitution. Resigned Jan. 2, 1985, and appointed to fill vacancy in office of United States Senator due to resignation of Paul E. Tsongas.

† Acting Governor from July 29, 1997; Elected Governor November 3, 1998.

**** Acting Governor from April 10, 2001.

UNITED STATES SENATORS.

FROM MASSACHUSETTS.

Tristram Dalton	1789-91	Caleb Strong	1789-96
George Cabot	1791-96	Theodore Sedgwick	1796-99
Benjamin Goodhue	1796-1800	Samuel Dexter	1799-1800
Jonathan Mason	1800-03	Dwight Foster	1800-03
John Quincy Adams	1803-08	Timothy Pickering	1803-11
James Lloyd, Jr.	1808-13	Joseph Bradley Varnum	1811-17
Christopher Gore	1813-16	Harrison Gray Otis	1817-22
Eli Porter Ashmun	1816-18	James Lloyd	1822-26
Prentiss Mellen	1818-20	Nathaniel Silsbee	1826-35
Elijah Hunt Mills	1820-27	John Davis	1835-41
Daniel Webster	1827-41	Isaac Chapman Bates	1841-45
Rufus Choate	1841-45	John Davis	1845-53
Daniel Webster	1845-50	Edward Everett	1853-54
Robert Charles Winthrop	1850-51	Julius Rockwell	1854-55
Robert Rantoul, Jr.	1851	Henry Wilson*	1855-73
Charles Sumner †	1851-74	George S. Boutwell	1873-77
William B. Washburn	1874-75	George Frisbie Hoar ‡	1877-1904
Henry Laurens Dawes	1875-93	Winthrop Murray Crane	1904-13
Henry Cabot Lodge§	1893-1924	John Wingate Weeks	1913-19
William Morgan Butler	1924-26	David Ignatius Walsh	1919-25
David Ignatius Walsh	1926-47	Frederick Huntington Gillett	1925-31
Henry Cabot Lodge, Jr.	1947-53	Marcus A. Coolidge	1931-37
John Fitzgerald Kennedy**	1953-60	Henry Cabot Lodge, Jr.¶	1937-44
Benjamin A. Smith, II,††	1960-63	Sinclair Weeks	1944
Edward M. Kennedy‡‡	1963-2009	Leverett Saltonstall	1945-67
Paul G. Kirk	2009-2010	Edward W. Brooke	1967-79
Scott P. Brown	2010	Paul E. Tsongas #	1979-85
		John F. Kerry ##	1985-

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* Mr. Wilson elected Vice President in 1872; George S. Boutwell chosen to fill vacancy.

† Charles Sumner died March 11, 1874; William B. Washburn chosen to fill vacancy, April 17, 1874.

‡ Mr. Hoar died September 30, 1904; Winthrop Murray Crane appointed by Governor John L. Bates October 12, 1904.

§ Mr. Lodge died November 9, 1924; William Morgan Butler temporarily appointed by Governor Channing H. Cox November 13, 1924; Mr. Walsh chosen to fill vacancy, November 2, 1926.

¶ Mr. Lodge resigned February 4, 1944; Sinclair Weeks temporarily appointed by Governor Leverett Saltonstall February 8, 1944.

** Mr. Kennedy elected President of the United States in November, 1960. Resigned from the Senate on December 22, 1960.

†† Mr. Smith temporarily appointed by Governor Foster Furcolo December 27 1960.

# Mr. Tsongas' term expired January, 1985; resigned January 2, 1985.

Mr. Kerry elected to a six-year term on November 6, 1984; Mr. Kerry temporarily appointed by Governor Michael S. Dukakis on January 3, 1985.

‡‡ Mr. Kennedy died August 25, 2009; Paul G. Kirk appointed by Governor Deval Patrick September 24, 2009; Mr. Brown chosen to fill vacancy January 19, 2010; qualified February , 2010.

SECRETARIES.

List of Persons who have held the Office of
SECRETARY OF THE COMMONWEALTH.

John Avery	1780-1806
Jonathan L. Austin	1806-08
William Tudor	1808-10
Benjamin Homans	1810-12
Alden Bradford	1812-24
Edward D. Bangs	1824-36
John P. Bigelow	1836-43
John A. Bolles	1843-44
John G. Palfrey	1844-48
William B. Calhoun	1848-51
Amasa Walker	1851-53
Ephraim M. Wright	1853-56
Francis DeWitt	1856-58
Oliver Warner	1858-76
Henry B. Peirce	1876-91
William M. Olin*	1891-1911
Albert P. Langtry*	1911-13
Frank J. Donahue	1913-15
Albert P. Langtry	1915-21
Frederic W. Cook	1921-49
Edward J. Cronin**	1949-58
J. Henry Goguen**	1958-59
Joseph D. Ward***	1959-61
Kevin H. White§	1961-67
John F. X. Davoren†	1967-75
Paul H. Guzzi	1975-79
Michael Joseph Connolly	1979-95
William Francis Galvin	1995-

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* Secretary Olin died April 15, 1911; Mr. Langtry chosen to fill vacancy April 26, 1911.

** Secretary Cronin died Nov. 24, 1958. The vacancy was filled by the appointment of J. Henry Goguen, who qualified on Dec. 1, 1958, to fill unexpired term.

*** Office was filled by election by the Legislature of Joseph D. Ward on Jan. 20, 1959.

§ Elected November 8, 1966 to a four-year term under Article LXXXII of the Amendments to the Constitution. Resigned Dec. 20, 1967.

† Office was filled by election by the Legislature of John F. X. Davoren on Dec. 20, 1967; and on November 3, 1970. Mr. Davoren was elected to a four-year term under Article LXXXII of the Amendments to the Constitution.

TREASURERS.

List of Persons who have held the Office of
TREASURER AND RECEIVER GENERAL.

Henry Gardner	1780-83
Thomas Ivers	1783-87
Alexander Hodgdon	1787-92
Thomas Davis	1792-97
Peleg Coffin*	1797-1801
Jonathan Jackson	1802-06
Thompson J. Skinner	1806-08
Josiah Dwight	1808-10
Thomas Harris	1810-11
Jonathan L. Austin	1811-12
John T. Apthorp	1812-17
Daniel Sargent	1817-22
Nahum Mitchell	1822-27
Joseph Sewall	1827-32
Hezekiah Barnard	1832-37
David Wilder	1837-42
Thomas Russell	1842-43
John Mills	1843-44
Thomas Russell	1844-45
Joseph Barrett	1845-49
Ebenezer Bradbury	1849-51
Charles B. Hall	1851-53
Jacob H. Loud	1853-55
Thomas J. Marsh	1855-56
Moses Tenney, Jr.	1856-61
Henry K. Oliver	1861-66
Jacob H. Loud	1866-71
Charles Adams, Jr.	1871-76
Charles Endicott	1876-81
Daniel A. Gleason	1881-86
Alanson W. Beard	1886-89
George A. Marden	1889-94
Henry M . Phillips†	1894-95
Edward P. Shaw†	1895-1900
Edward S. Bradford	1900-05
Arthur B. Chapin‡	1905-09
Elmer A. Stevens‡	1909-14
Frederick W. Mansfield	1914-15
Charles L. Burrill	1915-20
Fred J. Burrell§	1920
James Jackson§	1920-25
William S. Youngman‖	1925-29
Karl H. Oliver‖	1929
John W. Haigis‖	1929-31
Charles F. Hurley¶	1931-37
Karl H. Oliver¶	1937
William E. Hurley¶	1937-43
Francis X. Hurley	1943-45
John E. Hurley	1945-47
Laurence Curtis	1947-49
John E. Hurley**	1949-52
Foster Furcolo**	1952-55
John F. Kennedy	1955-61
John Thomas Driscoll***	1961-64
Robert Q. Crane***	1964-90
Joseph D. Malone	1991-98
Shannon P. O'Brien	1999-02
Timothy P. Cahill	2003-

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* Secretary Avery had a warrant to take care of the treasury on the resignation of Mr. Coffin, May 25, 1802.

† Mr. Phillips resigned April 12, 1895; Mr. Shaw chosen to fill vacancy April 25, 1895.

‡ Mr. Chapin resigned April 1, 1909; Mr. Stevens chosen to fill vacancy April 7, 1909.

§ Mr. Burrell resigned Sept. 3, 1920; Mr. Jackson appointed to fill vacancy Sept. 8, 1920.

‖ Mr. Youngman qualified as Lieutenant-Governor Jan. 3, 1929; Mr. Oliver chosen to fill vacancy January 7; Mr. Haigis qualified January 16.

¶ Mr. Charles F. Hurley qualified as Governor, January 7, 1937; Mr. Oliver chosen to fill vacancy January 11; Mr. William E. Hurley qualified January 20.

** Mr. John E. Hurley resigned July 5, 1952; Mr. Furcolo appointed to fill vacancy July 5.

*** Mr. John Thomas Driscoll resigned May 12, 1964; Mr. Crane chosen to fill vacancy May 12; and on November 8, 1966 Mr. Crane was elected to a four-year term under

ATTORNEYS-GENERAL — SOLICITORS-GENERAL.

[This table was prepared by Mr. A. C. Goodell, Jr., and contributed by him to the Massachusetts Historical Society's proceedings for June, 1895.]

TABLE OF ATTORNEYS-GENERAL BEFORE THE CONSTITUTION.

	CHOSEN.	APPOINTED.
Anthony Checkley	April 29, 1680.	
Under the Presidency of Joseph Dudley:		
Benjamin Bullivant		Date uncertain, but before July 1, 1686; sworn in July 26.
Under Sir Edmund Andros:		
Giles Masters		"To frame indictments, arraign and prosecute felons." April 30, 1687. He died "Kings Attorney," Feb. 29, 1688.
James Graham		Date uncertain, but as early as Aug. 25, 1687, he was "settled in Boston and made Attorney-general."
James Graham		Reappointed (2d commission) June 20, 1688.
During the inter-charter period:		
Anthony Checkley	June 14, 1689.	
Under the Province Charter:		
Anthony Checkley		Oct. 28, 1692.
Paul Dudley		July 6, 1702.
Paul Dudley	June 8, 1716.	
Paul Dudley	June 19, 1717.	
Paul Dudley*	June 25, 1718.	
John Valentine	Nov. 22, 1718.	

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*Resigned Nov. 22, 1718.

	CHOSEN.	APPOINTED.
John Valentine	June 24, 1719.	
Thomas Newton†	June 19, 1720.	
(*Vacancy:* John Read chosen, but negatived by Governor Shute.)		
John Overing	June 29, 1722.	
John Read	June 20, 1723.	
(*Vacancy;* John Read chosen, but not consented to.)		
John Read	June 28, 1725.	
John Read	June 21, 1726.	
John Read	June 28, 1727.	
Joseph Hiller	June 19, 1728.	
(Addington Davenport, Jr., chosen June 12, but declined.)		
John Overing		June 26, 1729.
(Jeremiah Gridley and others were chosen annually from 1730 to 1748, but the Governor withheld his consent. See Proceedings of the Massachusetts Historical Society, Vol. X, Second Series, p. 254.)		
Edmund Trowbridge		June 29, 1749.
Edmund Trowbridge		May 14, 1762.
(Made Justice of the Superior Court of Judicature, March 25, 1767).		
Jeremiah Gridley‡		March 25, 1767.
Jonathan Sewall		Nov. 24, 1767.
(*Vacancy* from September, 1774, to June 12, 1777.)		
Robert Treat Paine	June 12, 1777,	Accepted Aug. 26.
Robert Treat Paine	June 19, 1778 (sworn).	
Robert Treat Paine	Feb. 5, 1779.	
Robert Treat Paine	Jan. 4, 1780.	

SPECIAL ATTORNEY-GENERAL, ETC.

Jonathan Sewall	March 25, 1767.

SOLICITORS-GENERAL, ETC.

Jonathan Sewall	June 24, 1767.
(*Vacancy* from November 18, 1767, to March 14, 1771.)	
Samuel Quincy§	March 14, 1771.

SOLICITOR-GENERAL (SINCE THE CONSTITUTION.)

Daniel Davis	1801-32.
(Office established in 1800, and abolished in 1832.)	

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†Died May 28, 1721. ‡Died Sept. 10, 1767.

§A refugee, 1774-75.

TABLE OF ATTORNEYS-GENERAL SINCE THE CONSTITUTION.

Robert Treat Paine	1780-90
James Sullivan	1790-1807
Barnabas Bidwell	1807-10
Perez Morton	1810-32
James T. Austin	1832-43
John Henry Clifford	*1849-53
Rufus Choate†	1953-54
John Henry Clifford†	1854-58
Stephen Henry Phillips	1858-61
Dwight Foster	1861-64
Chester I. Reed‡	1864-67
Charles Allen ‡	1867-72
Charles R. Train	1872-79
George Marston	1879-83
Edgar J. Sherman§	1883-87
Andrew J. Waterman§	1887-91
Albert E. Pillsbury	1891-94
Hosea M. Knowlton	1894-1902
Herbert Parker	1902-06
Dana Malone	1906-11
James M. Swift	1911-14
Thomas J. Boynton	1914-15
Henry C. Attwill °	1915-19
Henry A. Wyman °	1919-20
J. Weston Allen	1920-23
Jay R. Benton	1923-27
Arthur K. Reading ¶	1927-28
Joseph E. Warner ¶	1928-35
Paul E. Dever	1935-41
Robert T. Bushnell	1941-45
Clarence A. Barnes	1945-49
Francis E. Kelly	1949-53
George Fingold**	1953-58
Edward J. McCormack, Jr.**	1958-63
Edward W. Brooke***	1963-67
Edward T. Martin	Interim
Elliot L. Richardson††	1967-69
Robert H. Quinn‡‡	1969-75
Francis X. Bellotti	1975-87
James M. Shannon	1987-90
L. Scott Harshbarger	1991-98
Thomas F. Reilly	1999-07
Martha Coakley	2007-

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* The office of Attorney-General was abolished in 1843 and re-established in 1849.

† Rufus Choate resigned May 12, 1854. Mr. Clifford's term began May 20, 1854.

‡ Resigned April 20, 1867. The vacancy was filled by election by the Legislature of Charles Allen, April 26, 1867.

§ Resigned October 1, 1887. The vacancy was filled by the appointment of Andrew J. Waterman.

° Vacated the office August 13, 1919, by qualifying as a member of the Public Service Commission. The vacancy was filled by the appointment of Henry A. Wyman, who qualified on that day.

¶ Resigned June 6, 1928. The vacancy was filled by the choice June 13, of Joseph E. Warner.

** Attorney-General Fingold died Aug. 31, 1958. The vacancy was filled by election by the Legislature of Edward J. McCormack, Jr., on September 11, 1958.

*** Resigned January 2, 1967. The vacancy was filled by the nomination by the Governor and the confirmation by the Executive Council of Edward T. Martin as interim Attorney General on January 3, 1967.

†† Elected November 8, 1966 to a four-year term under Article LXXXII of the Amendments to the Constitution. Resigned January 23, 1969. Appointed Under-Secretary of State on President's Cabinet.

‡‡ Office was filled by election by the Legislature of Robert H. Quinn on January 23, 1969; and on November 3, 1970, Mr. Quinn was elected to a four-year term under Article LXXXII of the Amendments to the Constitution.

AUDITORS.

List of Persons who have held the office of
AUDITOR OF ACCOUNTS OR AUDITOR OF THE COMMONWEALTH.

[Established by Act of 1849. Name changed by Act of 1908.]

David Wilder, Jr.	1849-54
Joseph Mitchell	1854-55
Stephen N. Gifford	1855-56
Chandler R. Ransom	1856-58
Charles White	1858-61
Levi Reed*	1861-65
Julius L. Clarke	1865-66
Henry S. Briggs	1866-70
Charles Endicott	1870-76
Julius L. Clarke†	1876-79
Charles R. Ladd†	1879-91
William D. T. Trefry	1891-92
John W. Kimball	1892-1901
Henry E. Turner‡	1901-11
John E. White‡	1911-14
Frank H. Pope	1914-15
Alonzo B. Cook	1915-31
Francis X. Hurley	1931-35
Thomas H. Buckley	1935-39
Russell A. Wood	1939-41
Thomas J. Buckley**	1941-64
Thaddeus Buczko***	1964-81
John J. Finnegan***	1981-87
A. Joseph DeNucci	1987-

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* Resigned December 20, 1865.

† Mr. Clarke resigned, and Mr. Ladd was appointed in his place May 5, 1879.

‡ Mr. Turner died June 29, 1911, and Mr. White was chosen to fill the vacancy July 6, 1911.

** Mr. Buckley died September 9, 1964 and Mr. Buczko was appointed to fill the vacancy September 24, 1964; and on November 8, 1966, Mr. Buczko was elected to a four-year term under Article LXXXII of the Amendments to the Constitution.

*** Mr. Buczko resigned on February 11, 1981 and Mr. Finnegan was elected, under the provisions of Article XVII, as amended by Article LXXIX of the Amendments to the Constitution, to fill the vacancy February 23, 1981.

ORGANIZATION OF THE LEGISLATURE,

Since 1780.

The first General Court, under the Constitution of The Commonwealth of Massachusetts, assembled at Boston on Wednesday, Oct. 25, 1780, and was finally prorogued (having held three sessions) May 19, 1781. From this time until 1832 the political year commenced on the last Wednesday in May, and the General Court held two, and frequently three, sessions during each year. In 1832, by an amendment of the Constitution, the commencement of the political year was changed to the first Wednesday in January.

SENATE.

PRESIDENTS.

Thomas Cushing, *resign'd* *	1780-81
Jeremiah Powell	
Jeremiah Powell, *resign'd* *	1781-82
Samuel Adams	
Samuel Adams	1782-85
Samuel Adams, *resign'd* *	1785-86
Samuel Phillips, Jr.	
Samuel Phillips, Jr.	1786-87
Samuel Adams	1787-88
Samuel Phillips, Jr.	1788-90
Samuel Phillips	1790-1801
Samuel Phillips, *resign'd*†	1801-02
David Cobb	
David Cobb	1802-05
Harrison Gray Otis	1805-06
John Bacon	1806-07
Samuel Dana	1807-08
Harrison Gray Otis	1808-11
Samuel Dana	1811-13
John Phillips	1813-23
Nathaniel Silsbee	1823-26
John Mills	1826-28
Sherman Leland	1828-29
Samuel Lathrop	1829-30
Samuel Lathrop, *resign'd*	1830-31
James Fowler	
Leverett Saltonstall	1831
William Thorndike	1832
Benjamin T. Pickman	1833-34
Benjamin T. Pickman, *died*	1835
George Bliss	
Horace Mann	1836-37
Myron Lawrence	1838-39
Daniel P. King	1840-41
Josiah Quincy, Jr.	1842
Phineas W. Leland, *resign'd*	1843
Frederick Robinson	
Josiah Quincy, Jr.	1844
Levi Lincoln	1845
William B. Calhoun	1846-47
Zeno Scudder	1848
Joseph Bell	1849
Marshall P. Wilder	1850
Henry Wilson	1851-52
Charles H. Warren	1853
Charles Edward Cook	1854

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* Resigned to serve in Governor's Council.

† Resigned to serve as Lieutenant-Governor.

Henry W. Benchley	1855
Elihu C. Baker	1856
Charles W. Upham	1857-58
Charles A. Phelps	1859-60
William Claflin	1861
John H. Clifford	1862
Jonathan E. Field	1863-65
Joseph A. Pond	1866-67
George O. Brastow	1868
Robert C. Pitman, *resign'd* *	1869
George O. Brastow	
Horace H. Coolidge	1870-72
George B. Loring	1873-76
John B. D. Cogswell	1877-79
Robert R. Bishop	1880-82
George Glover Crocker	1883
George A. Bruce	1884
Albert E. Pillsbury	1885-86
Halsey J. Boardman	1887-88
Harris C. Hartwell	1889
Henry H. Sprague	1890-91
Alfred S. Pinkerton	1892-93
William M. Butler	1894-95
George P. Lawrence	1896-97
George E. Smith	1898-1900
Rufus A. Soule	1901-02
George R. Jones	1903-04
William F. Dana	1905-06
William D. Chapple	1907-08
Allen T. Treadway	1909-11
Levi H. Greenwood	1912-13
Calvin Coolidge	1914-15
Henry G. Wells	1916-18
Edwin T. McKnight	1919-20
Frank G. Allen†	1921-24
Wellington Wells	1925-28
Gaspar G. Bacon	1929-32
Erland F. Fish	1933-34
James G. Moran	1935-36
Samuel H. Wragg	1937-38
Joseph R. Cotton	1939-40
Angier L. Goodwin‡	1941
Jarvis Hunt§	1942-44
Arthur W. Coolidge	1945-46
Donald W. Nicholson°	1947
Harris S. Richardson¶	1948
Chester A. Dolan, Jr.	1949
Harris S. Richardson	1950
Richard I. Furbush	1951-56
Newland H. Holmes	1957-58
John E. Powers**	1959-64
Maurice A. Donahue**	1964-70
Kevin B. Harrington***	1971-78
William M. Bulger***	1978-96
Thomas F. Birmingham****	1996-03
Robert E. Travaglini+	2003-07
Therese Murray#	2007-

CLERKS.

William Baker, Jr.	1780-84
Samuel Cooper	1785-95
Edward McLane	1796-99
Edward Payne Hayman	1800
George Elliot Vaughan	1801-02
Wendell Davis	1803-05
John D. Dunbar	1806-07
Nathaniel Coffin	1808-10
Marcus Morton	1811-12
Samuel F. McCleary	1813-21
Samuel F. Lyman	1822
Paul Willard	1823-29
Charles Calhoun	1830-42
Lewis Josselyn	1843
Charles Calhoun	1844-50
Chauncy L. Knapp	1851
Francis H. Underwood	1852
Charles Calhoun	1853-54

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* Appointed Justice of Superior Court.

† First year under biennial elections.

‡ Resigned Dec. 29, 1941 (elected to Congress).

§ Elected at Special Session, Jan. 26, 1942.

° Resigned Nov. 26, 1947 (elected to Congress).

¶ Elected Jan. 7, 1948.

** Appointed Clerk of the Supreme Judicial Court, March 25, 1964; Mr. Donahue elected March 25, 1964.

*** Resigned July 31, 1978; Mr. Bulger elected July 31, 1978; resigned January 3, 1996.

**** Elected January 3, 1996.

+ Resigned March 21, 2007.

Elected March 21, 2007.

Peter L. Cox	1855-57
Stephen N. Gifford	1858-86
E. Herbert Clapp	1886-88
Henry D. Coolidge	1889-1922
William H. Sanger§	1922-32
Irving N. Hayden°	1932-62
Thomas A. Chadwick*	1962-66
Norman L. Pidgeon**	1967-73

***SENATE CLERK AND PARLIAMENTARIAN, Norman L. Pidgeon, 1972-73.

Edward B. O'Neill****	1974-98
Patrick F. Scanlan #	1999-03
William F. Welch+	2004-

CHAPLAINS.

Samuel Cooper	1780
John Clark	1781
Joseph Eckley	1782
Samuel Cooper	1783
Joseph Eckley	1784
Peter Thacher	1785-89
Samuel Stillman	1790
Jeremy Belknap	1791
Peter Thacher	1792-1802
William Emerson	1803-06
Thomas Baldwin	1807
Joseph S. Buckminster	1808-10
Thomas Baldwin	1811-12
Joshua Huntington	1813
Dr. John Lathrop	1814-15
Francis Parkman	1816-17
Henry Ware, Jr.	1818
John G. Palfrey	1819-20
John Pierpont	1821
James Walker	1822
William Jenks	1823
Daniel Sharp	1824
Samuel Barrett	1825
Francis Wayland	1826
William Jenks	1827-28
R. W. Emerson	1829
Howard Malcolm	1830
Alonzo Potter	1831
F. W. P. Greenwood	1832
George W. Blagden	1833
Chandler Robbins	1834
Hubbard Winslow	1835
F. W. P. Greenwood	1836
Nehemiah Adams	1837
Ralph Sanger	1838
William M. Rogers	1839
Daniel M. Lord	1840
Thomas M. Clark, Jr.	1841
Joseph H. Towne	1842
William M. Rogers	1843
James F. Clarke	1844
John T. Burrill	1845
Amos Smith	1846
Austin Phelps	1847
C. A. Bartol	1848
Isaac P. Langworthy	1849
James L. T. Coolidge	1850
A. L. Stone	1851
Warren Burton	1852
J. S. D. Farnsworth	1853
A. H. Burlington	1854
Lyman Whiting	1855
Daniel C. Eddy	1856
John P. Cleveland	1857

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§ Elected March 1, 1922, having served as assistant clerk since 1889; retired March 12, 1932.

° Elected March 14, 1932, having served as assistant clerk since 1922; retired Jan. 31, 1962.

* Elected Feb. 1, 1962, having served as assistant clerk since 1932; retired Dec. 31, 1966.

** Elected Jan. 4, 1967, having served as assistant clerk since 1962.

*** First person ever appointed Parliamentarian (as well as Clerk) in the history of the Commonwealth of Massachusetts.

**** Elected acting Clerk of Senate, Jan. 2, 1974 to finish the term of Norman L. Pidgeon. Elected Clerk of the Senate, Jan. 1, 1975; Died Oct. 4, 1998.

Acting Clerk of the Senate, Oct. 5, 1998 to finish the term of Edward B. O'Neill; Elected Clerk of the Senate, Jan. 6, 1999; retired Oct. 1, 2003.

+ Acting Clerk of the Senate, Oct. 1, 2003 to finish the term of Patrick F. Scanlan; Elected Clerk of the Senate, Jan. 5, 2004.

Arthur Fuller	1858
Jacob M. Manning	1859
Joseph Marsh	1860
A. S. Patton	1861
Edward W. Clark	1862-63
A. A. Miner	1864
George E. Ellis	1865
James B. Miles	1866
Charles E. Reed	1867
Henry Morgan	1868
E. N. Kirk	1869
J. O. Means	1870
S. W. Foljambe	1871
Edward Abbott	1872-73
A. M. Ide	1874
George F. Warren	1875
Isaac Dunham	1876-79
Edmund Dowse*	1880-1904
Edward A. Horton°	1904-28
Charles H. Moss¶	1928-30
Arthur M. Ellis	1931-40
Arthur W. Olsen	1941-42
W. Harold Deacon	1943-44
Frederick M. Eliot	1945-48
Francis A. Burke	1949-50
Frederick M. Eliot**	1951-58
John P. Robertson***	1958
Christopher P. Griffin #	1959-79

HOUSE OF DEPUTIES

(Usually two to five sessions a year.)

SPEAKERS.

William Hawthorne†	1644-45
George Cooke	1645
William Hawthorne†	1646
Robert Bridges	1646
Joseph Hill	1647
William Hawthorne†	1648
Richard Russell	1648
Daniel Denison‡	1649
William Hawthorne†	1650
Daniel Gookin	1651
Daniel Denison‡	1651-52
Humphrey Atherton	1653
Richard Russell	1654
Edward Johnson	1655
Richard Russell	1656
William Hawthorne†	1657
Richard Russell	1658
Thomas Savage	1659-60
William Hawthorne†	1660-61
Thomas Clarke	1662
John Leverett	1663-64
Thomas Clarke	1665
Richard Waldron§	1666-68
Thomas Clarke	1669-70
Thomas Savage	1671
Thomas Clarke	1672
Richard Waldron§	1673
Joshua Hubbard	1673-74
Richard Waldron§	1674-75
Peter Buckley	1675-76
Thomas Savage	1677-78
Richard Waldron§	1679
John Richards	1679-80
Daniel Fisher	1680-82
Elisha Cooke	1683
John Wayte	1684
Isaac Addington	1685
John Saffin	1686

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* Resigned January 13, 1904.

° Elected January 14, 1904, resigned and chosen Chaplain emeritus February 6, 1928.

¶ Elected February 7, 1928.

** Died February 17, 1958.

*** Elected to fill vacancy on February 25, 1958.

# Beginning on January 2, 1980, the Senate has suspended so much of Senate Rule 4 as relates to the appointment of a chaplain.

† Also spelled Hauthorne, Hawthorne, Hawthorn, Hathorne.

‡ Also spelled Dennison.

§ Also spelled Waldern, Walderne.

INTER-CHARTER PERIOD.

The General Court adjourned May 21, 1686, and did not convene until May or June, 1689.

Thomas Oakes	1689
John Bowles	1689-90
Penn Townsend	1690-91
William Bond	1691-92
Penn Townsend	1692

UNDER THE SECOND CHARTER.

William Bond	1692-93
Nathaniel Byfield	1693-94
Nehemiah Jewett	1694-95
William Bond	1695-96
Penn Townsend	1696-97
Nathaniel Byfield	1698
James Converse	1699-1700
John Leverett	1700-01
Nehemiah Jewett	1701-02
James Converse	1702-05
Thomas Oakes	1705-07
John Burrill	1707
Thomas Oliver	1708-09
John Clark	1709-11
John Burrill	1711-20
Elisha Cooke	1720
Timothy Lindall	1720-21
John Clark	1721-24
William Dudley	1724-29
John Quincy	1729-41
William Fairfield	1741
John Hobson	1741-42
Thomas Cushing	1742-46
Thomas Hutchinson	1746-49
Joseph Dwight	1749-50
Thomas Hubbard	1750-59
Samuel White	1759-60
James Otis	1760-62
Timothy Ruggles	1762-64
Samuel White	1764-66
Thomas Cushing*	1766-74
James Warren	1775-78
John Pickering	1778-79
John Hancock	1779-80

HOUSE OF REPRESENTATIVES.

SPEAKERS UNDER THE CONSTITUTION.

Caleb Davis, *resigned*	1780-82
Nathaniel Gorham	1782-83
Tristram Dalton	1783-84
Samuel Allyne Otis	1784-85
Nathaniel Gorham	1785-86
Artemas Ward	1786-87
James Warren	1787-88
Theodore Sedgwick	1788-89
David Cobb	1789-93
Edward H. Robbins	1793-1802
John Coffin Jones	1802-03
Harrison Gray Otis	1803-05
Timothy Bigelow	1805-06
Perez Morton	1806-08
Timothy Bigelow	1808-10
Perez Morton, *resigned*	1810-11
Joseph Story, *resigned*	1811-12
Eleazer W. Ripley	1812
Timothy Bigelow	1812-20
Elijah H. Mills, *resigned*	1820-21
Josiah Quincy, *resigned*	1821-22
Luther Lawrence	1822
Levi Lincoln	1822-23
William C. Jarvis	1823-25

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* Son of Thomas Cushing who served in 1742-46.

Timothy Fuller	1825-26
William C. Jarvis	1826-28
William B. Calhoun	1828-34
Julius Rockwell	1835-37
Robert C. Winthrop	1838-40
George Ashmun	1841
Thomas Kinnicut	1842
Daniel P. King	1843
Thomas Kinnicut, *resign'd*	1844
Samuel H. Walley, Jr.	1844-46
Ebenezer Bradbury	1847
Francis B. Crowninshield	1848-49
Ensign H. Kellogg	1850
Nathaniel P. Banks, Jr.	1851-52
George Bliss	1853
Otis P. Lord	1854
Daniel C. Eddy	1855
Charles A. Phelps	1856-57
Julius Rockwell	1858
Charles Hale	1859
John A. Goodwin	1860-61
Alexander H. Bullock	1862-65
James M. Stone	1866-67
Harvey Jewell	1868-71
John E. Sanford	1872-75
John D. Long	1876-78
Levi C. Wade	1879
Charles J. Noyes	1880-82
George A. Marden	1883-84
John Q. A. Brackett	1885-86
Charles J. Noyes	1887-88
William E. Barrett	1889-93
George V. L. Meyer	1894-96
John L. Bates	1897-99
James J. Myers	1900-03
Louis A. Frothingham	1904-05
John N. Cole	1906-08
Joseph Walker	1909-11
Grafton D. Cushing	1912-14
Channing H. Cox	1915-18
Joseph E. Warner	1919-20
Benjamin Loring Young*	1921-24
John C. Hull	1925-28
Leverett Saltonstall	1929-36
Horace T. Cahill	1937-38
Christian A. Herter	1939-42
Rudolph F. King	1943-44
Frederick B. Willis†	1945-48
Thomas P. O'Neill, Jr.	1949-52
Charles Gibbons	1953-54
Michael F. Skerry**	1955-57
John F. Thompson***	1958-64
John F. X. Davoren‡	1965-67
Robert H. Quinn°	1967-69
David M. Bartley•	1969-75
Thomas W. McGee#	1975-85
George Keverian	1985-90
Charles F. Flaherty+	1991-96
Thomas M. Finneran##	1996-04
Salvatore F. DiMasi****	2004-09
Robert A. DeLeo ###	2009-

CLERKS.

George Henshaw	1780-81
George Richards Minot	1782-91
Henry Warren	1792-1802
Nicholas Tillinghast	1803-05
Chs. Pinckney Summer	1806-07
Nicholas Tillinghast	1808-09
Chs. Pinckney Summer	1810-11
Benjamin Pollard	1812-21
Pelham W. Warren	1822-31
Luther S. Cushing	1832-43
Charles W. Storey	1844-50
Lewis Josselyn	1851-52
William Schouler	1853
William Stowe	1854

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* First year under biennial elections.

† Resigned November 9, 1948.

** Resigned as Speaker October 14, 1957.

*** Elected Speaker January 1, 1958.

‡ Elected Secretary of the Commonwealth December 20, 1967.

° Elected Speaker December 20, 1967. Elected Attorney General January 23, 1969.

• Elected Speaker January 23, 1969. Resigned July 1, 1975.

# Elected Speaker July 1, 1975.

+ Elected Speaker January 2, 1991. Resigned April 9, 1996.

## Elected Speaker April 9, 1996; Resigned as Speaker September 28, 2004; Resigned December 31, 2004; January 5, 2005 declined to accept office.

**** Elected Speaker September 29, 2004; Resigned January 27, 2009.

### Elected Speaker January 28, 2009

Henry A. Marsh	1855
William E. P. Haskell	1856
William Stowe	1857-61
William S. Robinson	1862-72
Charles H. Taylor	1873
George A. Marden	1874-82
Edward A. McLaughlin	1883-95
George T. Sleeper	1896
James W. Kimball	1897-1928
Frank E. Bridgman†	1928-39
Lawrence R. Grove‡	1939-61
William C. Maiers**	1961-68
Wallace C. Mills+	1969-82
Robert E. MacQueen•	1983-98
Steven T. James***	1999-

CHAPLAINS.

Samuel Cooper	1780
John Clark	1781
Joseph Eckley	1782
Samuel Cooper	1783
Joseph Eckley	1784
Peter Thacher	1785-89
Samuel Stillman	1790
Jeremy Belknap	1791
Peter Thacher	1792-93
Samuel Stillman	1794-95
Peter Thacher	1796-99
Thomas Baldwin	1800-01
John T. Kirkland	1802
Thomas Baldwin	1803
John T. Kirkland	1804
Thomas Baldwin	1805-07
Charles Lowell	1808
John Lathrop	1809
Thomas Baldwin	1810
Elijah R. Sabin	1811
Horace Holly	1812
Joshua Huntington	1813
Samuel Cary	1814
Samuel C. Thacher	1815
Asa Eaton	1816
Daniel Sharp	1817
Thomas Baldwin	1818
William Jenks	1819-26
George Ripley	1827
Henry Ware, Jr.	1828
—— ——§	1829
Joseph Tuckerman	1830
—— ——°	1831
Ralph W. Emerson	1832
Howard Malcolm	1832-33
Edward T. Taylor	1834
George W. Blagden	1835
Ezra S. Gannett	1835
Samuel K. Lothrop	1836
William M. Rogers	1836
Baron Stow	1837
Thomas S. King	1837
Ephraim Peabody	1838
George W. Blagden	1839
Otis A. Skinner	1839
Joy H. Fairchild	1840
Benjamin Whittemore	1840
Joseph H. Towne	1841
Robert C. Waterston	1842
Edwin H. Chapin	1842
Edward N. Kirk	1843
Frederic D. Huntington	1843

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† Elected April 10, 1928, having served as assistant clerk since 1897; retired March 28, 1939.

‡ Elected March 28, 1939, having served as assistant clerk since 1928; retired May 26, 1961.

** Elected May 26, 1961, having served as assistant clerk since 1946.

+ Elected January 1, 1969, having served as assistant clerk since 1961.

• Elected Clerk January 5, 1983, having served as assistant clerk since 1969; resigned Jan. 6, 1999.

*** Elected Clerk Jan. 6, 1999; having served as Assistant Clerk since 1997.

§ There was no choice, and it was ordered, after balloting, that all the settled clergymen of Boston be invited by the Speaker to officiate alternately as Chaplain.

° There was no choice, and it was ordered, after balloting, that the three clergymen having the highest votes should act as joint Chaplains. These were Lyman Beecher, Sebastian Streeter and Ezra S. Gannett.

Austin Phelps	1844
Chandler Robbins	1845
William Hague	1845
William Jenks	1846
Samuel D. Robbins	1846
George Richards	1847
Silas Aiken	1848
S. Hale Higgins	1848
Rollin H. Neale	1849
Henry V. Degen	1850
George M. Randall	1851
Rufus W. Clark	1852
Stephen Lovell	1853
Arthur B. Fuller	1854
John H. Twombly	1855
Abraham D. Merrill	1856
Daniel Foster	1857
Warren Burton	1858
Thomas Dodge	1859
Warren Burton	1860
Andrew L. Stone	1861
Phineas Stowe	1862
George S. Ball	1863
David Brenner	1864
Samuel F. Upham	1865
Noah M. Gaylord	1866
Pliny Wood	1867
William R. Alger	1868
Orin T. Walker	1869
John A. M. Chapman	1870
Charles C. Sewall	1871
Warren H. Cudworth	1872
Robert G. Seymour	1873-78
Daniel W. Waldron	1879-1918
William F. Dusseault	1919-22
Donald B. Aldrich	1923-24
Harry W. Kimball	1925-28
Gardiner M. Day	1929
Abbot Peterson	1930-32
Dan Huntington Fenn	1933-36
J. Caleb Justice	1937-38
Cornelius P. Trowbridge	1939-42
Howard P. Horn	1943
Howard P. Bozarth	1943-44
Elmore Brown	1945-48
Richard J. Quinlan	1949-52
Arthur Joseph Snow	1953-54
Christopher P. Griffin	1955-58
George V. Kerr[•]	1959-83
Robert F. Quinn[#]	1983-

SERGEANT-AT-ARMS.[†]

Benjamin Stevens	1835-59
John Morrissey	1859-74
Oreb F. Mitchell	1875-85
John G. B. Adams	1886-1900
Charles G. Davis	1901-03
David T. Remington	1904-09
Thomas F. Pedrick	1910-20
James Beatty	1920
Charles O. Holt[¶]	1921-49
Arthur R. Driscoll[*]	1949-62
Leopold Lepore[**]	1962-63
John J. Cavanaugh	1963-75
Charles M. McGowan[***]	1976-90
Michael J. Rea, Jr.[§§]	1990-02
Kevin W. Fitzgerald[##]	2003-07

SERGEANT-AT-ARMS FOR THE HOUSE.

Octave O. Desmarais[°] 1949-52

[†] The office of Sergeant-at-Arms was established by law in 1835. Previous to that time Jacob Kuhn was Messenger to the General Court from 1786. William Baker preceded him from the first session under the Constitution in 1780-81, he having also served in a similar position for many years previously thereto.

[¶] Resigned March 21, 1949. Mr. Driscoll was elected to fill the vacancy August 31, 1949.

[*] Retired March 8, 1962. Mr. Lepore was elected to fill vacancy April 25, 1962.

[**] Died May 24, 1963. Mr. Cavanaugh was elected to fill the vacancy November 13, 1963.

[°] The office of Sergeant-at-Arms for the House was established by Chapter 806 of the Acts of 1949.

[***] Elected January 26, 1976; Retired eff. May 1, 1990.

[•] Died January 23, 1983.

[#] Appointed to fill vacancy in the office of Chaplain, February 7, 1983.

[§§] Elected November 30, 1990.

[##] Resigned April 30, 2007.

Table showing the Length of the Session of the Legislature in Each Year since 1832.

YEAR	Convened	Prorogued	Total Days	No. of Reps.
1832	January 4	March 24	80	528
1833	2	28	86	574
1834	1	April 2	92	570
1835*	7	8	92	615
1836	6	16	102	619
1837	4	20	107	635
1838	3	25	113	480
1839	2	10	99	521
1840	1	March 24	84	521
1841	6	18	72	397
1842*	5	3	58	336
1843	4	24	80	352
1844	3	16	74	321
1845	1	26	85	271
1846	7	April 16	100	264
1847	6	16	111	255
1848*	5	May 10	127	272
1849	3	2	120	263
1850	2	3	122	297
1851	2	24	146	396
1852	7	22	137	402
1853	5	25	142	288
1854	4	April 29	116	310
1855	3	May 21	138	380
1856	1	June 6	158	329
1857*	7	May 30	144	357

* There was an extra session of sixty-two days in 1835, to revise the statutes; one of nine days in 1842, to divide the Commonwealth into Congressional Districts; one of three days in 1848, to choose electors of President and Vice-President; one of eighteen days in 1857, to establish districts for the choice of Councillors, Representatives and Senators, one of one hundred and thirteen days in 1859, to revise the general statutes; one of fourteen days in 1860, to consider the subject of the disease among the cattle of the Commonwealth; one of ten days in 1861, to consider the duty of the Commonwealth in relation to public affairs, consequent on the Rebellion; one of eight days in 1863, to provide for raising the quota under the call of the President of the United States of the 17th of October, 1863, for 300,000 men; one of thirty days in 1872, to consider what legislation was necessary by reason of the great fire in Boston, November 9 and 10; one of ten days in 1881 and one of seven days in 1901, to act upon the report of a joint special committee to revise the statutes; one of three days in 1916, to legislate for Massachusetts soldiers called to the Mexican border and to provide for the reapportionment of Suffolk County into Representative districts; one of thirty-six days in 1919, to consider the street railway situation, the compensation of the State Guard for special duty in Boston, the appropriations of cities and towns for compensating school teachers and for other municipal purposes, the recognition of Provincetown in the Pilgrim Tercentenary celebration, etc.; one of sixteen days in 1920, to act upon the report of a joint special committee to revise the General Laws; one of three hours on October 20, 1930, to commemorate the tercentenary of the first General Court held in

YEAR	Convened	Prorogued	Total Days	No. of Reps.
1858†	January 6	March 27	81	240†
1859*	5	April 6	92	—
1860*	4	4	92	—
1861*	2	11	100	—
1862	1	30	120	—
1863*	7	29	113	—
1864	6	May 14	130	—
1865	4	17	137	—
1866	3	30	147	—
1867	2	June 1	150	—
1868	1	12	164	—
1869	6	24	170	—
1870	5	23	170	—
1871	4	May 31	148	—
1872*	3	7	126	—
1873	1	June 12	163	—
1874	7	30	175	—
1875	6	May 19	134	—
1876	5	April 28	115	—
1877	3	May 17	135	—
1878	2	17	136	—
1879	1	April 30	120	—
1880	7	24	109	—
1881*	5	May 13	129	—
1882	4	27	144	—
1883	5	July 27	206	—
1884	2	June 4	155	—
1885	7	19	164	—
1886	6	30	176	—
1887	5	16	163	—
1888	4	May 29	147	—
1889	2	June 7	157	—
1890	1	July 2	183	—
1891	7	June 11	156	—

Massachusetts; one of forty-six days in 1931, to consider changing the law relative to rates for compulsory motor vehicle liability insurance; one of twenty-seven days in 1933, to consider regulation and control of the liquor traffic; one of three days in 1938, to provide funds for the devastation caused by hurricane and floods; one of six days in 1942, to provide for the safety of the Commonwealth during the existence of the war emergency; one of fifteen days in 1944, to facilitate voting by citizens in the armed forces, and to issuance of licenses based upon safety of places of public assembly; one of six days in 1952 to repeal provisions of law providing pensions or retirement allowances for members of the General Court and other elected state officials and to revise the laws providing travel and other expenses for members and employees of the legislative branch; one of one day in 1954 to provide funds

† The number of Representatives remained at 240 from 1858 through 1978; the number of Representatives beginning in 1979 has been 160.

YEAR	Convened	Prorogued	Total Days	DAYS OF SITTING	
				Senate	House
1892	January 6	June 17	163	112	112
1893	4	9	157	107	107
1894	3	July 2	181	121	126
1895	2	June 5	155	102	107
1896	1	10	162	112	112
1897	6	12	158	108	110
1898	5	23	170	115	120
1899	4	3	151	104	104
1900	3	July 17	196	131	133
1901*..........	2	June 19	169	114	117
1902	1	28	179	123	124
1903	7	26	171	119	121
1904	6	9	156	109	110
1905	4	May 26	143	101	101
1906	3	June 29	178	123	123
1907	2	28	178	125	125
1908	1	13	165	117	119
1909	6	19	165	116	116
1910	5	15	162	114	114
1911	4	July 28	206	140	141
1912	3	June 13	163	113	112
1913	1	20	171	120	120
1914	7	July 7	182	127	126
1915	6	June 4	150	104	104
1916*..........	5	2	150	105	105
1917	3	May 26	144	101	101
1918	2	June 3	153	107	107
1919*..........	1	July 25	206	144	144
1920*..........	7	June 5	151	108	105
1921	5	May 28	144	100	100
1922	4	June 13	161	110	111
1923	3	May 26	144	99	99
1924	2	June 5	156	108	110
1925	7	May 2	116	79	81
1926	6	29	144	86	102
1927	5	April 28	114	69	78
1928	4	July 25	204	105	124

for the alleviation of the destruction caused by the hurricane and to revise the law relative to the retirement of certain veterans of World War I; and one of three days in 1960 to consider the purchase of part of the former Old Colony Railroad right-of-way, the establishment of a state medical school, the continuity of terms of chairmen of the commissions on transportation and public utilities, the establishment of the salaries of the clerks of the Newton District Court and the Second Plymouth District Court and the appropriation of money for the urban renewal division; one of one day in 1962 relative to cessation of service by

YEAR	Convened	Prorogued	Total Days	DAYS OF SITTING	
				Senate	House
1929	January 2	June 8	158	92	109
1930*	1	May 29	149	89	107
1931*	7	June 10	155	100	107
1932	6	7	154	92	106
1933*	4	July 22	200	123	139
1934	3	June 30	179	114	122
1935	2	Aug. 15	226	124	126
1936	1	July 2	184	106	103
1937	6	May 29	144	75	84
1938*	5	Aug. 24	232	115	135
1939†	4	12	221	107	145
1941*	1	Nov. 1	305	166	170
1943*	6	June 12	158	89	90
1945‡	3	July 25	204	119	119
1946	2	June 15	165	98	98
1947	1	July 1	182	111	109
1948	7	June 19	165	97	96
1949	5	Aug. 31	239	140	152
1950	4	19	228	135	136
1951	3	Nov. 17	319	179	189
1952*	2	July 5	186	89	103
1953	7	4	179	92	102
1954*	6	June 11	157	91	99
1955	5	Sept. 16	255	141	158
1956	4	Oct. 6	277	145	151
1957	2	Sept. 21	262	142	137
1958	1	Oct. 17	290	162	159
1959	7	Sept. 17	254	143	145
1960*	6	Nov. 24	324	173	172
1961	4	May 27	144	82	94
1962	3	July 27	206	138	127
1963	2	Nov. 16	319	181	182
1964	1	July 4	186	126	110
1965**	6	Jan. 4, '66	364	204	222
1966*	5	Sept. 7	246	136	136
1967**	4	Jan. 2, '68	364	197	200
1968	3	July 20	200	107	103
1969	1	Aug. 25	237	135	131
1970	7	Aug. 25	237	135	127

the Metropolitan Transit Authority; one of twenty-four days in 1966 relative to mental health and mental retardation services, the extension of a runway at Logan Airport and establishing home rule procedures for cities and towns; one of six days in 1973 relative to the energy crisis; and one of two days in 1978 to consider the removal from office of

YEAR	Convened	Prorogued	Total Days	DAYS OF SITTING	
				Senate	House
1971	January 6	Nov. 10	309	171	167
1972	5	July 9	187	105	103
1973	3	Nov. 30	331	180	179
1974	2	Aug. 2	213	112	116
1975**.........	1	Jan. 6, '76	371	158	191
1976	7	Oct. 14	282	106	128
1977**.........	5	Jan. 3, '78	364	167	173
1978*..........	4	July 12	190	96	83
1979§	3	Nov. 4	306	134	149
1980*..........	2	July 5	186	72	88
1981**.........	7	Jan. 5, '82	364	124	134
1982**.........	6	Jan. 2, '83	364	156	139
1983**.........	5	Jan. 3, '84	363	134	159
1984**.........	4	Jan. 1, '85	362	119	117
1985**.........	2	Dec. 31, '85	364	136	142
1986**.........	1	Jan. 6, '87	371	136	147
1987	7	Jan. 5, '88	364	144	153
1988	6	Nov. 23, '88	322	103	123
1989**.........	4	Jan. 2, '90	364	128	148
1990**.........	3	Jan. 1, '91	364	127	135
1991**.........	2	Dec. 31, '91	364	124	147
1992	1	Jan. 5, '93	371	155	144
1993	6	Jan. 4, '94	364	153	150
1994...........	5	Jan. 3, '95	364	129	120
1995...........	4	Jan. 2, '96	364	115	119
1996...........	3	Dec. 31, '96	364	130	122
1997...........	1	Jan. 6, '98	371	131	136
1998...........	7	Jan. 5, '99	364	137	129
1999...........	6	Jan. 4 '00	364	126	130
2000...........	5	Jan. 2 '01	364	130	133
2001...........	3	Jan. 1 '02	363	130	125
2002...........	2	Dec. 31 '02	363	126	138
2003...........	1	Jan. 6 '04	371	132	136
2004...........	7	Jan. 4 '05	363	130	136
2005...........	5	Jan. 3 '06	363	137	134
2006...........	4	Jan. 2 '07	363	139	134
2007...........	3	Jan. 1 '08	364	128	136
2008...........	2	Jan. 6 '09	371	140	152
2009...........	7				

Robert M. Bonin, Chief Justice of the Superior Court; one of five days in 1980 for the purpose of continuing the unfinished Constitutional Convention; one of three days in 1980 to consider legislation to permit the continuation of the Massachusetts Bay Transportation Authority; and one of six days in 1980 to consider legislation to permit the continuation of the Massachusetts Bay Transportation Authority.

* See note on extra sessions on pages 392-396.
† First year of biennial session.
‡ First year of return to annual sessions.
** Dissolved under Article X of the Amendments to the Constitution.
§ First year of 160-member House of Representatives.

POST OFFICES IN MASSACHUSETTS,

WITH THE CITIES OR TOWNS AND COUNTIES IN WHICH THEY ARE SITUATED

The spelling of the names of post offices is that established by the United States Postal Service.]

[Post offices marked † are in the Boston Postal Area.]

POST OFFICES	CITIES AND TOWNS	COUNTIES
Abington 02351	Abington	Plymouth
Accord 02018	Hingham	Plymouth
Acton 01720	Acton	Middlesex
Acushnet 02743	Acushnet	Bristol
Adams 01220	Adams	Berkshire
Agawam 01001	Agawam	Hampden
Airport 02109†	Boston	Suffolk
Allerton 02045	Hull	Plymouth
Allston 02134†	Boston	Suffolk
Amesbury 01913	Amesbury	Essex
Amherst 01002	Amherst	Hampshire
Andover 01810	Andover	Essex
Aquinnah 02535	Aquinnah	Dukes
Arlington 02474	Arlington	Middlesex
Arlington Heights 02475	Arlington	Middlesex
Ashburnham 01430	Ashburnham	Worcester
Ashby 01431	Ashby	Middlesex
Ashfield 01330	Ashfield	Franklin
Ashland 01721	Ashland	Middlesex
Ashley Falls 01222	Sheffield	Berkshire
Assinippi 02339	Hanover	Plymouth
Assonet 02702	Freetown	Bristol
Assumption College 01609	Worcester	Worcester
Astor 02123†	Boston	Suffolk
Athol 01331	Athol	Worcester
Attleboro 02703	Attleboro	Bristol

POST OFFICES	CITIES AND TOWNS	COUNTIES
Attleboro Falls 02763	North Attleborough	Bristol
Auburn 01501	Auburn	Worcester
Auburndale 02466	Newton	Middlesex
Avon 02322	Avon	Norfolk
Ayer 01432	Ayer	Middlesex
Babson Park 02457	Wellesley	Norfolk
Back Bay Annex 02117†	Boston	Suffolk
Baldwinville 01436	Templeton	Worcester
Ballardvale 01810	Andover	Essex
Barnstable 02630	Barnstable	Barnstable
Barre 01005	Barre	Worcester
Bass River 02664	Dennis	Barnstable
Becket 01223	Becket	Berkshire
Bedford 01730	Bedford	Middlesex
Belchertown 01007	Belchertown	Hampshire
Bellingham 02019	Bellingham	Norfolk
Belmont 02478	Belmont	Middlesex
Berkley 02779	Berkley	Bristol
Berkshire 01224	Lanesborough	Berkshire
Berlin 01503	Berlin	Worcester
Bernardston 01337	Bernardston	Franklin
Beverly 01915	Beverly	Essex
Beverly Farms 01915	Beverly	Essex
Billerica 01821	Billerica	Middlesex
Blackstone 01504	Blackstone	Worcester
Blandford 01008	Blandford	Hampden
Bolton 01740	Bolton	Worcester
Bondsville 01009	Palmer	Hampden
Boston (Postmaster) 02205†	Boston	Suffolk
Boston College 02467	Newton	Middlesex
Boston University 02215†	Boston	Suffolk
Bourne 02532	Bourne	Barnstable
Boxboro 01719	Boxborough	Middlesex
Boxford 01921	Boxford	Essex
Boylston 01505	Boylston	Worcester
Bradford 01835	Haverhill	Essex
Braintree 02184†	Braintree	Norfolk
Brant Rock 02020	Marshfield	Plymouth
Brewster 02631	Brewster	Barnstable
Bridgewater 02324	Bridgewater	Plymouth
Brighton 02135†	Boston	Suffolk
Brightwood 01107	Springfield	Hampden

POST OFFICES	CITIES AND TOWNS	COUNTIES
Brimfield 01010	Brimfield	Hampden
Brockton 02303	Brockton	Plymouth
Brookfield 01506	Brookfield	Worcester
Brookline 02446	Brookline	Norfolk
Brookline Village 02447	Brookline	Norfolk
Bryantville 02327	Pembroke	Plymouth
Buckland 01338	Buckland	Franklin
Burlington 01803	Burlington	Middlesex
Buzzards Bay 02532	Bourne	Barnstable
Byfield 01922	Newbury	Essex
Cambridge 02138†	Cambridge	Middlesex
Cambridge A (Campt.) 02139†	Cambridge	Middlesex
Cambridge B (N. Cam.) 02140†	Cambridge	Middlesex
Cambridge C (E. Cam.) 02141†	Cambridge	Middlesex
Canton 02021	Canton	Norfolk
Carlisle 01741	Carlisle	Middlesex
Carver 02330	Carver	Plymouth
Cataumet 02534	Bourne	Barnstable
Cathedral 02118†	Boston	Suffolk
Center 02361	Plymouth	Plymouth
Centerville 02632	Barnstable	Barnstable
Central Village 02790	Westport	Bristol
Charlemont 01339	Charlemont	Franklin
Charles Street 02114†	Boston	Suffolk
Charlestown 02129†	Boston	Suffolk
Charlton 01507	Charlton	Worcester
Charlton City 01508	Charlton	Worcester
Charlton Depot 01509	Charlton	Worcester
Chartley 02712	Norton	Bristol
Chatham 02633	Chatham	Barnstable
Chelmsford 01824	Chelmsford	Middlesex
Chelsea 02150†	Chelsea	Suffolk
Cherry Valley 01611	Leicester	Worcester
Cheshire 01225	Cheshire	Berkshire
Chester 01011	Chester	Hampden
Chesterfield 01012	Chesterfield	Hampshire
Chestnut Hill 02167	Newton	Middlesex
Chicopee 01021	Chicopee	Hampden

POST OFFICES	CITIES AND TOWNS	COUNTIES
Chicopee Center 01013	Chicopee	Hampden
Chilmark 02535	Aquinnah	Dukes
Clarksburg 01247	North Adams	Berkshire
Clinton 01510	Clinton	Worcester
Cochituate 01778	Wayland	Middlesex
Cohasset 02025	Cohasset	Norfolk
Colrain 01340	Colrain	Franklin
Concord 01742	Concord	Middlesex
Conway 01341	Conway	Franklin
Cotuit 02635	Barnstable	Barnstable
Craigville 02636	Barnstable	Barnstable
Cummaquid 02637	Barnstable	Barnstable
Cummington 01026	Cummington	Hampshire
Cushman 01002	Amherst	Hampshire
Cuttyhunk 02713	Gosnold	Dukes
Dalton 01226	Dalton	Berkshire
Danvers 01923	Danvers	Essex
Dartmouth 02714	Dartmouth	Bristol
Dedham 02026	Dedham	Norfolk
Deerfield 01342	Deerfield	Franklin
Dennis 02638	Dennis	Barnstable
Dennis Port 02639	Dennis	Barnstable
Dighton 02715	Dighton	Bristol
Division Street 02744	New Bedford	Bristol
Dorchester 02122†	Boston	Suffolk
Dorchester Center 02124†	Boston	Suffolk
Dover 02030	Dover	Norfolk
Dracut 01826	Dracut	Middlesex
Drury 01343	Florida	Berkshire
Dudley 01571	Dudley	Worcester
Dudley Hill 01570	Webster	Worcester
Dunstable 01827	Dunstable	Middlesex
Duxbury 02332	Duxbury	Plymouth
East Arlington 02474	Arlington	Middlesex
East Boston 02128†	Boston	Suffolk
East Bridgewater 02333	East Bridgewater	Plymouth
East Brookfield 01515	East Brookfield	Worcester
East Dedham 02026	Dedham	Norfolk
East Dennis 02641	Dennis	Barnstable
East Douglas 01516	Douglas	Worcester

POST OFFICES	CITIES AND TOWNS	COUNTIES
East Falmouth 02536	Falmouth	Barnstable
East Freetown 02717	Freetown	Bristol
Eastham 02642	Eastham	Barnstable
Easthampton 01027	Easthampton	Hampshire
East Longmeadow 01028	East Longmeadow	Hampden
East Lynn 01904	Lynn	Essex
East Mansfield 02031	Mansfield	Bristol
Easton 02334	Easton	Bristol
East Orleans 02643	Orleans	Barnstable
East Otis 01029	Otis	Berkshire
East Princeton 01517	Princeton	Worcester
East Sandwich 02537	Sandwich	Barnstable
East Taunton 02718	Taunton	Bristol
East Templeton 01438	Templeton	Worcester
East Walpole 02032	Walpole	Norfolk
East Wareham 02538	Wareham	Plymouth
East Watertown 02472	Watertown	Middlesex
East Weymouth 02189†	Weymouth	Norfolk
Edgartown 02539	Edgartown	Dukes
Elms College 01013	Chicopee	Hampden
Elmwood 02337	East Bridgewater	Plymouth
Erving 01344	Erving	Franklin
Essex 01929	Essex	Essex
Essex 02112†	Boston	Suffolk
Everett 02149†	Everett	Middlesex
Fairhaven 02719	Fairhaven	Bristol
Fall River 02722	Fall River	Bristol
Falmouth 02540	Falmouth	Barnstable
Fayville 01745	Southborough	Worcester
Federal 01601	Worcester	Worcester
Feeding Hills 01030	Agawam	Hampden
Fiskdale 01518	Sturbridge	Worcester
Fitchburg 01420	Fitchburg	Worcester
Flint 02723	Fall River	Bristol
Florence 01060	Northampton	Hampshire
Florida 01247	Florida	Berkshire
Forestdale 02644	Sandwich	Barnstable
Forest Park 01108	Springfield	Hampden
Forge Village 01886	Westford	Middlesex
Fort Devens 01433	Ayer	Middlesex
Foxboro 02035	Foxborough	Norfolk

POST OFFICES	CITIES AND TOWNS	COUNTIES
Framingham 01701	Framingham	Middlesex
Framingham Center 01701	Framingham	Middlesex
Franklin 02038	Franklin	Norfolk
Gardner 01440	Gardner	Worcester
Georgetown 01833	Georgetown	Essex
General Mail Facility 02205†	Boston	Suffolk
Gilbertville 01031	Hardwick	Worcester
Glendale 01229	Stockbridge	Berkshire
Gloucester 01930	Gloucester	Essex
Goshen 01032	Goshen	Hampshire
Grafton 01519	Grafton	Worcester
Granby 01033	Granby	Hampshire
Graniteville 01886	Westford	Middlesex
Granville 01034	Granville	Hampden
Great Barrington 01230	Great Barrington	Berkshire
Greenbush 02040	Scituate	Plymouth
Greendale 01606	Worcester	Worcester
Greenfield 01301	Greenfield	Franklin
Green Harbor 02041	Marshfield	Plymouth
Greenwood 01880	Wakefield	Middlesex
Groton 01450	Groton	Middlesex
Grove Hall 02121†	Boston	Suffolk
Groveland 01834	Groveland	Essex
Hadley 01035	Hadley	Hampshire
Halifax 02338	Halifax	Plymouth
Hamilton 01936	Hamilton	Essex
Hampden 01036	Hampden	Hampden
Hancock 01237	Hancock	Berkshire
Hanover 02339	Hanover	Plymouth
Hanover Street 02113†	Boston	Suffolk
Hanscom A.F.B. 01731	Bedford	Middlesex
Hanson 02341	Hanson	Plymouth
Hardwick 01037	Hardwick	Worcester
Harvard 01451	Harvard	Worcester
Harvard Square 02138†	Cambridge	Middlesex
Harwich 02645	Harwich	Barnstable
Harwich Port 02646	Harwich	Barnstable
Harwood 01460	Littleton	Middlesex
Hatfield 01038	Hatfield	Hampshire
Hathorne 01937	Danvers	Essex

POST OFFICES	CITIES AND TOWNS	COUNTIES
Haverhill 01830	Haverhill	Essex
Hawley 01339	Hawley	Franklin
Haydenville 01039	Williamsburg	Hampshire
Heath 01346	Heath	Franklin
Highland 01109	Springfield	Hampden
Highlands 01851	Lowell	Middlesex
Hingham 02043	Hingham	Plymouth
Hinsdale 01235	Hinsdale	Berkshire
Holbrook 02343	Holbrook	Norfolk
Holden 01520	Holden	Worcester
Holland 01521	Holland	Hampden
Holliston 01746	Holliston	Middlesex
Holyoke 01040	Holyoke	Hampden
Hopedale 01747	Hopedale	Worcester
Hopkinton 01748	Hopkinton	Middlesex
Housatonic 01236	Great Barrington	Berkshire
Hubbardston 01452	Hubbardston	Worcester
Hudson 01749	Hudson	Middlesex
Hull 02045	Hull	Plymouth
Humarock 02047	Scituate	Plymouth
Huntington 01050	Huntington	Hampshire
Hyannis 02601	Barnstable	Barnstable
Hyannis Port 02647	Barnstable	Barnstable
Hyde Park 02136†	Boston	Suffolk
Incoming Mail Center, North 02150†	Chelsea	Suffolk
Indian Orchard 01151	Springfield	Hampden
Inman Square 02139†	Cambridge	Middlesex
Internal Revenue Service Center 05501	Andover	Essex
Ipswich 01938	Ipswich	Essex
Islington 02090	Westwood	Norfolk
Jamaica Plain 02130†	Boston	Suffolk
Jefferson 01522	Holden	Worcester
John Fitzgerald Kennedy 02114†	Boston	Suffolk
John Fitzgerald Kennedy Library 02125†	Boston	Suffolk
John W. McCormack Building 02108†	Boston	Suffolk

POST OFFICES	CITIES AND TOWNS	COUNTIES
Kendall Square 02142†	Cambridge	Middlesex
Kenmore 02215†	Boston	Suffolk
Kingston 02364	Kingston	Plymouth
Lake Pleasant 01347	Montague	Franklin
Lakeville 02347	Lakeville	Plymouth
Lancaster 01523	Lancaster	Worcester
Lanesboro 01237	Lanesborough	Berkshire
Lanesville 01930	Gloucester	Essex
Lawrence 01842	Lawrence	Essex
Lee 01238	Lee	Berkshire
Leeds 01053	Northampton	Hampshire
Leicester 01524	Leicester	Worcester
Lenox 01240	Lenox	Berkshire
Lenox Dale 01242	Lenox	Berkshire
Leominster 01453	Leominster	Worcester
Leverett 01054	Leverett	Franklin
Leverett Saltonstall State Office Building 02202†	Boston	Suffolk
Lexington 02473†	Lexington	Middlesex
Leyden 01301	Greenfield	Franklin
Lincoln 01773	Lincoln	Middlesex
Lincoln Center 01773	Lincoln	Middlesex
Linwood 01525	Uxbridge	Worcester
Littleton 01460	Littleton	Middlesex
Longmeadow 01106	Longmeadow	Hampden
Lowell 01853	Lowell	Middlesex
Ludlow 01056	Ludlow	Hampden
Lunenburg 01462	Lunenburg	Worcester
Lynn 01901	Lynn	Essex
Lynnfield 01940	Lynnfield	Essex
Magnolia 01930	Gloucester	Essex
Main Street 02532	Bourne	Barnstable
Main Street 01601	Worcester	Worcester
Malden 02148†	Malden	Middlesex
Manchaug 01526	Sutton	Worcester
Manchester 01944	Manchester-by-the-Sea	Essex
Manomet 02345	Plymouth	Plymouth
Mansfield 02048	Mansfield	Bristol
Marblehead 01945	Marblehead	Essex
Marion 02738	Marion	Plymouth

POST OFFICES	CITIES AND TOWNS	COUNTIES
Marlborough 01752	Marlborough	Middlesex
Marshfield 02050	Marshfield	Plymouth
Marshfield Hills 02051	Marshfield	Plymouth
Marstons Mills 02648	Barnstable	Barnstable
Mashpee 02649	Mashpee	Barnstable
Mattapan 02126†	Boston	Suffolk
Mattapoisett 02739	Mattapoisett	Plymouth
Maynard 01754	Maynard	Middlesex
Medfield 02052	Medfield	Norfolk
Medford 02155†	Medford	Middlesex
Medway 02053	Medway	Norfolk
Medway Village 02053	Medway	Norfolk
Melrose 02176†	Melrose	Middlesex
Mendon 01756	Mendon	Worcester
Menemsha 02552	Aquinnah	Dukes
Merrimac 01860	Merrimac	Essex
Merrimack College 01845	North Andover	Essex
Methuen 01844	Methuen	Essex
Middleboro 02346	Middleborough	Plymouth
Middlefield 01243	Middlefield	Hampshire
Middleton 01949	Middleton	Essex
Milford 01757	Milford	Worcester
Millbury 01527	Millbury	Worcester
Millers Falls 01349	Montague	Franklin
Millis 02054	Millis	Norfolk
Mill River 01244	New Marlborough	Berkshire
Millville 01529	Millville	Worcester
Milton 02186†	Milton	Norfolk
Milton Village 02187†	Milton	Norfolk
Minot 02055	Scituate	Plymouth
M.I.T. 02139†	Cambridge	Middlesex
Monponsett 02350	Hanson	Plymouth
Monroe 01350	Monroe	Franklin
Monroe Bridge 01350	Monroe	Franklin
Monson 01057	Monson	Hampden
Montague 01351	Montague	Franklin
Monterey 01245	Monterey	Berkshire
Montgomery 01085	Montgomery	Hampden
Monument Beach 02553	Bourne	Barnstable
Mount Herman 01354	Northfield	Franklin
Mount Pleasant 02745	New Bedford	Bristol

POST OFFICES	CITIES AND TOWNS	COUNTIES
Mount Saint James 01610	Worcester	Worcester
Mount Tom 01027	Easthampton	Hampshire
Nabnasset 01886	Westford	Middlesex
Nahant 01908	Nahant	Essex
Nantucket 02554	Nantucket	Nantucket
Natick 01760	Natick	Middlesex
Needham 02492	Needham	Norfolk
Needham Heights 02494	Needham	Norfolk
New Ashford 01237	New Ashford	Berkshire
New Bedford 02740	New Bedford	Bristol
New Braintree 01531	New Braintree	Worcester
Newbury 01951	Newbury	Essex
Newburyport 01950	Newburyport	Essex
New Salem 01355	New Salem	Franklin
New Seabury 02649	Mashpee	Barnstable
Newton 02458	Newton	Middlesex
Newton Center 02459	Newton	Middlesex
Newton Highlands 02461	Newton	Middlesex
Newton Lower Falls 02462	Newton	Middlesex
Newton Upper Falls 02464	Newton	Middlesex
Newtonville 02460	Newton	Middlesex
New Town 02458	Newton	Middlesex
Nonantum 02495	Newton	Middlesex
Noquochoke 02790	Westport	Bristol
Norfolk 02056	Norfolk	Norfolk
North 02746	New Bedford	Bristol
North Abington 02351	Abington	Plymouth
North Adams 01247	North Adams	Berkshire
North Amherst 01059	Amherst	Hampshire
Northampton 01060	Northampton	Hampshire
North Andover 01845	North Andover	Essex
North Attleboro 02760	North Attleborough	Bristol
North Billerica 01862	Billerica	Middlesex
Northborough 01532	Northborough	Worcester
Northbridge 01534	Northbridge	Worcester
North Brookfield 01535	North Brookfield	Worcester
North Carver 02355	Carver	Plymouth
North Chatham 02650	Chatham	Barnstable
North Chelmsford 01863	Chelmsford	Middlesex
North Dartmouth 02747	Dartmouth	Bristol
North Dighton 02764	Dighton	Bristol

POST OFFICES	CITIES AND TOWNS	COUNTIES
North Eastham 02651	Eastham	Barnstable
Northeastern University 02115†	Boston	Suffolk
North Easton 02356	Easton	Bristol
North Egremont 01252	Egremont	Berkshire
North Falmouth 02556	Falmouth	Barnstable
Northfield 01360	Northfield	Franklin
North Grafton 01536	Grafton	Worcester
North Hatfield 01066	Hatfield	Hampshire
North Marshfield 02059	Marshfield	Plymouth
North Oxford 01537	Oxford	Worcester
North Pembroke 02358	Pembroke	Plymouth
North Quincy 02171†	Quincy	Norfolk
North Reading 01864	North Reading	Middlesex
North Scituate 02060	Scituate	Plymouth
North Truro 02652	Truro	Barnstable
North Uxbridge 01538	Uxbridge	Worcester
North Waltham 02454	Waltham	Middlesex
North Weymouth 02191†	Weymouth	Norfolk
Norton 02766	Norton	Bristol
Norwell 02061	Norwell	Plymouth
Norwood 02062	Norwood	Norfolk
Nutting Lake 01865	Billerica	Middlesex
Oak Bluffs 02557	Oak Bluffs	Dukes
Oakdale 01539	West Boylston	Worcester
Oakham 01068	Oakham	Worcester
Ocean Bluff 02065	Marshfield	Plymouth
Onset 02558	Wareham	Plymouth
Orange 01364	Orange	Franklin
Orchard Street 02744	New Bedford	Bristol
Orleans 02653	Orleans	Barnstable
Osterville 02655	Barnstable	Barnstable
Otis 01253	Otis	Berkshire
Otis Air Force Base 02542	Bourne	Barnstable
Oxford 01540	Oxford	Worcester
Padanaram Village 02748	Dartmouth	Bristol
Palmer 01069	Palmer	Hampden
Paxton 01612	Paxton	Worcester
Peabody 01960	Peabody	Essex
Pelham 01002	Pelham	Hampshire
Pembroke 02359	Pembroke	Plymouth

POST OFFICES	CITIES AND TOWNS	COUNTIES
Pepperell 01463	Pepperell	Middlesex
Peru 01235	Peru	Berkshire
Petersham 01366	Petersham	Worcester
Phillipston 01331	Phillipston	Worcester
Pigeon Cove 01966	Rockport	Essex
Pinehurst 01866	Billerica	Middlesex
Pittsfield 01201	Pittsfield	Berkshire
Plainfield 01070	Plainfield	Hampshire
Plainville 02762	Plainville	Norfolk
Plymouth 02360	Plymouth	Plymouth
Plympton 02367	Plympton	Plymouth
Pocasset 02559	Bourne	Barnstable
Porter Square 02140†	Cambridge	Middlesex
Prides Crossing 01965	Beverly	Essex
Princeton 01541	Princeton	Worcester
Provincetown 02657	Provincetown	Barnstable
Prudential Center 02199†	Boston	Suffolk
Quincy 02269†	Quincy	Norfolk
Quinsigamond Village 01607	Worcester	Worcester
Randolph 02368	Randolph	Norfolk
Raynham 02767	Raynham	Bristol
Raynham Center 02768	Raynham	Bristol
Reading 01867	Reading	Middlesex
Readville 02137†	Boston	Suffolk
Rehoboth 02769	Rehoboth	Bristol
Revere 02151†	Revere	Suffolk
Richmond 01254	Richmond	Berkshire
Riverdale 01930	Gloucester	Essex
Rochdale 01542	Leicester	Worcester
Rochester 02770	Rochester	Plymouth
Rockland 02370	Rockland	Plymouth
Rockport 01966	Rockport	Essex
Roslindale 02131†	Boston	Suffolk
Rowe 01367	Rowe	Franklin
Rowley 01969	Rowley	Essex
Roxbury 02119†	Boston	Suffolk
Roxbury Crossing 02120†	Boston	Suffolk
Royalston 01368	Royalston	Worcester
Russell 01071	Russell	Hampden
Rutland 01543	Rutland	Worcester

POST OFFICES	CITIES AND TOWNS	COUNTIES
Sagamore 02561	Bourne	Barnstable
Sagamore Beach 02562	Bourne	Barnstable
Salem 01970	Salem	Essex
Salem State College 01970	Salem	Essex
Salisbury 01952	Salisbury	Essex
Salisbury Beach 01952	Salisbury	Essex
Sandisfield 01255	Sandisfield	Berkshire
Sandwich 02563	Sandwich	Barnstable
Saugus 01906	Saugus	Essex
Savoy 01256	Savoy	Berkshire
Saxonville 01701	Framingham	Middlesex
Scituate 02066	Scituate	Plymouth
Seekonk 02771	Seekonk	Bristol
Sharon 02067	Sharon	Norfolk
Shattuckville 01369	Colrain	Franklin
Shawsheen Village 01810	Andover	Essex
Sheffield 01257	Sheffield	Berkshire
Shelburne Falls 01370	Shelburne	Franklin
Sheldonville 02070	Wrentham	Norfolk
Sherborn 01770	Sherborn	Middlesex
Shirley 01464	Shirley	Middlesex
Shirley Center 01464	Shirley	Middlesex
Shrewsbury 01545	Shrewsbury	Worcester
Shutesbury 01072	Shutesbury	Franklin
Siasconset 02564	Nantucket	Nantucket
Silver Beach 02565	Falmouth	Barnstable
Snug Harbor 02332	Duxbury	Plymouth
Soldiers Field 02163†	Boston	Suffolk
Somerset 02726	Somerset	Bristol
Somerville 02143†	Somerville	Middlesex
South 02724	Fall River	Bristol
Southampton 01073	Southampton	Hampshire
South Attleboro 02703	Attleboro	Bristol
South Barre 01074	Barre	Worcester
Southborough 01772	Southborough	Worcester
South Boston 02127†	Boston	Suffolk
Southbridge 01550	Southbridge	Worcester
South Carver 02366	Carver	Plymouth
South Chatham 02659	Chatham	Barnstable
South Chelmsford 01824	Chelmsford	Middlesex
South Dartmouth 02748	Dartmouth	Bristol

POST OFFICES	CITIES AND TOWNS	COUNTIES
South Deerfield 01373	Deerfield	Franklin
South Dennis 02660	Dennis	Barnstable
South Easton 02375	Easton	Bristol
South Egremont 01258	Egremont	Berkshire
Southfield 01259	New Marlborough	Berkshire
South Framingham 01701	Framingham	Middlesex
South Grafton 01560	Grafton	Worcester
South Hadley 01075	South Hadley	Hampshire
South Hamilton 01982	Hamilton	Essex
South Harwich 02661	Harwich	Barnstable
South Lancaster 01561	Lancaster	Worcester
South Lee 01260	Lee	Berkshire
South Lynnfield 01940	Lynnfield	Essex
South Orleans 02662	Orleans	Barnstable
South Postal Annex 02205†	Boston	Suffolk
South Royalston 01331	Royalston	Worcester
South Walpole 02071	Walpole	Norfolk
South Waltham 02454	Waltham	Middlesex
South Wellfleet 02663	Wellfleet	Barnstable
South Weymouth 02190†	Weymouth	Norfolk
Southwick 01077	Southwick	Hampden
South Yarmouth 02664	Yarmouth	Barnstable
Spencer 01562	Spencer	Worcester
Springfield 01101	Springfield	Hampden
State House 02133†	Boston	Suffolk
Sterling 01564	Sterling	Worcester
Still River 01467	Harvard	Worcester
Stockbridge 01262	Stockbridge	Berkshire
Stoneham 02180†	Stoneham	Middlesex
Stoughton 02072	Stoughton	Norfolk
Stow 01775	Stow	Middlesex
Sturbridge 01566	Sturbridge	Worcester
Sudbury 01776	Sudbury	Middlesex
Sunderland 01375	Sunderland	Franklin
Sutton 01590	Sutton	Worcester
Swampscott 01907	Swampscott	Essex
Swansea 02777	Swansea	Bristol
Taunton 02780	Taunton	Bristol
Teaticket 02536	Falmouth	Barnstable
Templeton 01468	Templeton	Worcester
Tewksbury 01876	Tewksbury	Middlesex

POST OFFICES	CITIES AND TOWNS	COUNTIES
Thomas P. O'Neill, Jr., Federal Office Building 02222†	Boston	Suffolk
Thorndike 01079	Palmer	Hampden
Three Rivers 01080	Palmer	Hampden
Tolland 01034	Tolland	Hampden
Topsfield 01983	Topsfield	Essex
Townsend 01469	Townsend	Middlesex
Tremont 02116†	Boston	Suffolk
Truro 02666	Truro	Barnstable
Tufts University 02153 †	Medford	Middlesex
Turners Falls 01376	Montague	Franklin
Turnpike 01545	Shrewsbury	Worcester
Tyngsboro 01879	Tyngsborough	Middlesex
Tyringham 01264	Tyringham	Berkshire
Univ. of Massachusetts 01003	Amherst	Hampshire
Univ. of Massachusetts 02125†	Boston	Suffolk
Uphams Corner 02125†	Boston	Suffolk
Upton 01568	Upton	Worcester
Uxbridge 01569	Uxbridge	Worcester
Village of Nagog Woods 01718	Acton	Middlesex
Vineyard Haven 02568	Tisbury	Dukes
Waban 02468	Newton	Middlesex
Wakefield 01880	Wakefield	Middlesex
Wales 01081	Wales	Hampden
Wallis Street 01960	Peabody	Essex
Walpole 02081	Walpole	Norfolk
Waltham 02454	Waltham	Middlesex
Waquoit 02536	Falmouth	Barnstable
Ward Hill 01835	Haverhill	Essex
Ware 01082	Ware	Hampshire
Wareham 02571	Wareham	Plymouth
Warren 01083	Warren	Worcester
Warwick 01378	Warwick	Franklin
Watertown 02472	Watertown	Middlesex
Waverly 02479	Belmont	Middlesex
Wayland 01778	Wayland	Middlesex
Webster 01570	Webster	Worcester
Webster Square 01603	Worcester	Worcester
Wellesley 02481	Wellesley	Norfolk
Wellesley Hills 02481	Wellesley	Norfolk

POST OFFICES	CITIES AND TOWNS	COUNTIES
Wellfleet 02667	Wellfleet	Barnstable
Wendell 01379	Wendell	Franklin
Wendell Depot 01380	Wendell	Franklin
Wenham 01984	Wenham	Essex
West Acton 01720	Acton	Middlesex
West Barnstable 02668	Barnstable	Barnstable
Westborough 01581	Westborough	Worcester
West Boxford 01885	Boxford	Essex
West Boylston 01583	West Boylston	Worcester
West Bridgewater 02379	West Bridgewater	Plymouth
West Brookfield 01585	West Brookfield	Worcester
West Chatham 02669	Chatham	Barnstable
West Chesterfield 01084	Chesterfield	Hampshire
West Chop 02573	Vineyard Haven	Dukes
West Concord 01742	Concord	Middlesex
West Dennis 02670	Dennis	Barnstable
West Falmouth 02574	Falmouth	Barnstable
Westfield 01085	Westfield	Hampden
Westford 01886	Westford	Middlesex
West Groton 01472	Groton	Middlesex
Westhampton 01027	Westhampton	Hampshire
West Hanover 02339	Hanover	Plymouth
West Harwich 02671	Harwich	Barnstable
West Hatfield 01088	Hatfield	Hampshire
West Hyannisport 02672	Barnstable	Barnstable
West Lynn 01905	Lynn	Essex
West Medford 02156†	Medford	Middlesex
Westminster 01473	Westminster	Worcester
West Newbury 01985	West Newbury	Essex
West Newton 02465	Newton	Middlesex
Weston 02493	Weston	Middlesex
West Otis 01245	Otis	Berkshire
Westover AFB 01022	Chicopee	Hampden
West Peabody 01960	Peabody	Essex
Westport 02790	Westport	Bristol
Westport Point 02791	Westport	Bristol
West Roxbury 02132†	Boston	Suffolk
West Side 01602	Worcester	Worcester
West Somerville 02144†	Somerville	Middlesex
West Springfield 01089	West Springfield	Hampden
West Stockbridge 01266	West Stockbridge	Berkshire

POST OFFICES	CITIES AND TOWNS	COUNTIES
West Tisbury 02575	West Tisbury	Dukes
West Townsend 01474	Townsend	Middlesex
West Wareham 02576	Wareham	Plymouth
West Warren 01092	Warren	Worcester
Westwood 02090	Westwood	Norfolk
West Yarmouth 02673	Yarmouth	Barnstable
Weymouth 02188†	Weymouth	Norfolk
Whately 01093	Whately	Franklin
Wheelwright 01094	Hardwick	Worcester
White Horse Beach 02381	Plymouth	Plymouth
Whitinsville 01588	Northbridge	Worcester
Whitman 02382	Whitman	Plymouth
Wilbraham 01095	Wilbraham	Hampden
Wilkinsonville 01590	Sutton	Worcester
Williamsburg 01096	Williamsburg	Hampshire
Williamstown 01267	Williamstown	Berkshire
Wilmington 01887	Wilmington	Middlesex
Winchendon 01475	Winchendon	Worcester
Winchendon Springs 01477	Winchendon	Worcester
Winchester 01890	Winchester	Middlesex
Windsor 01270	Windsor	Berkshire
Winter Hill 02145†	Somerville	Middlesex
Winthrop 02152†	Winthrop	Suffolk
Woburn 01801	Woburn	Middlesex
Wollaston 02170†	Quincy	Norfolk
Woods Hole 02543	Falmouth	Barnstable
Woodville 01784	Hopkinton	Middlesex
Worcester 01613	Worcester	Worcester
Woronoco 01097	Russell	Hampden
Worthington 01098	Worthington	Hampshire
Wrentham 02093	Wrentham	Norfolk
Yarmouth Port 02675	Yarmouth	Barnstable

MEDICAL EXAMINERS

[See Chapter 38 of the General Laws.]

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Fax (617) 266-6783
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Henry Nields, MD, PhD, Chief Medical Examiner

Catchment areas: Suffolk County, Norfolk County, Essex County, Middlesex County, parts of Worcester County including the city of Worcester and towns east.

District Medical Examiners may be contacted via Headquarters.

Office of the Chief Medical Examiner
Southeast Region (800) 222-5999

James Weiner, M.D., Associate Chief Medical Examiner

Catchment areas: Barnstable County, Plymouth County, Dukes County, Nantucket County.

District Medical Examiners may be contacted via the Southeast Regional Office.

Office of the Chief Medical Examiner
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Fax (413) 538-6862
(800) 445-5889 (within Massachusetts)

Joann Richmond, M.D., Deputy Chief Medical Examiner

Catchment areas: Hampden County, Hampshire County, Berkshire County, Franklin County, and parts of Worcester County west of the city of Worcester.

District Medical Examiners may be contacted through their regional offices.

THE JUDICIARY

AND

DISTRICT ATTORNEYS

JUDICIARY.

*Judges of the Superior Court of Judicature of the Province of Massachusetts Bay, from 1692 to 1775.**

CHIEF JUSTICES.

APPOINTED.		LEFT THE BENCH.		DIED.
1692.	William Stoughton,	1701.	Resigned.	1701.
1701.	Wait Winthrop,	1701.	Resigned.	1717.
1702.	Isaac Addington,	1703.	Resigned.	1715.
1708.	Wait Winthrop,	1717.		1717.
1718.	Samuel Sewall,	1728.	Resigned.	1730.
1729.	Benjamin Lynde,	1745.		1745.
1745.	Paul Dudley,	1751.		1751.
1752.	Stephen Sewall,	1760.		1760.
1761.	Thomas Hutchinson,	1769.	Resigned.	1780.
1769.	Benjamin Lynde,	1771.	Resigned.	1781.
1772.	Peter Oliver,	1775.	Removed at Revolution.	1791.

JUSTICES.

1692.	Thomas Danforth,	1699.		1699.
1692.	Wait Winthrop,	1701.	Resigned.	1717.
1692.	John Richard,	1694.		1694.
1692.	Samuel Sewall,	1728.	(Appointed C. J., 1718.)	1730.
1695.	Elisha Cooke,	1702.	Removed.	1715.
1700.	John Walley,	1712.		1712.
1701.	John Saffin,	1702.	Removed.	1710.
1702.	John Hathorne,	1712.	Resigned.	1717.
1702.	John Leverett,	1708.	Resigned.	1724.
1708.	Jonathan Curwin,	1715.	Resigned.	1718.
1712.	Benjamin Lynde,	1745.	(Appointed C. J., 1729.)	1745.
1712.	Nathaniel Thomas,	1718.	Resigned.	1718.
1715.	Addington Davenport,	1736.		1736.
1718.	Paul Dudley,	1751.	(Appointed C. J., 1745.)	1751.
1718.	Edmund Quincy,	1737.		1737.
1728.	John Cushing,	1733.	Removed.	1737.
1733.	Jonathan Remington,	1745.		1745.
1736.	Richard Saltonstall,	1756.		1756.
1737.	Thomas Greaves,	1738.	Resigned.	1747.

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* The judges died in office, except where otherwise stated. See "Sketches of the Judicial History of Massachusetts," by Emory Washburn, 1840, p. 241.

APPOINTED		LEFT THE BENCH.		DIED.
1739.	Stephen Sewall, ...	1760.	(Appointed C. J., 1752.)	1760.
1745.	Nathaniel Hubbard, ...	1746.	Resigned.	1748.
1745.	Benjamin Lynde, ...	1771.	(Appointed C. J., 1769.)	1781.
1747.	John Cushing, ...	1771.	Resigned.	1778.
1752.	Chambers Russell, ...	1766.		1766.
1756.	Peter Oliver, ...	1775.	(Appointed C. J., 1772.)	1791.
1767.	Edmund Trowbridge, ...	1775.	Resigned.	1793.
1771.	Foster Hutchinson, ...	1775.	Removed at Revolution.	1799.
1772.	Nathaniel Ropes, ...	1774.		1774.
1772.	William Cushing, ...	1775.	Removed at Revolution.	1810.
1774.	William Browne, ...	1775.	Removed at Revolution.	1802.

Justices of the Superior Court of Judicature and the Supreme Judicial Court of Massachusetts since the Revolution. The latter was established July 3, 1782.

CHIEF JUSTICES.

APPOINTED.		LEFT THE BENCH.		DIED.
1775.	John Adams, ...	1776.	Resigned.*	1826.
1777.	William Cushing, ...	1789.	Resigned.†	1810.
1790.	Nathaniel Peaslee Sargent, ..	1791.		1791.
1791.	Francis Dana, ...	1806.	Resigned.	1811.
1806.	Theophilus Parsons, ...	1813.		1813.
1814.	Samuel Sewall, ...	1814.		1814.
1814.	Isaac Parker, ...	1830.		1830.
1830.	Lemuel Shaw, ...	1860.	Resigned.	1861.
1860.	George Tyler Bigelow, ...	1868.	Resigned.	1878.
1868.	Reuben Atwater Chapman, .	1873.		1873.
1873.	Horace Gray,‡	1882.		1902.
1882.	Marcus Morton, ...	1890.	Resigned.	1891.
1890.	Walbridge Abner Field, ...	1899.		1899.
1899.	Oliver Wendell Holmes,§ ..	1902.		1935.
1902.	Marcus Perrin Knowlton, ...	1911.	Resigned.	1918.
1911.	Arthur Prentice Rugg, ...	1938.		1938.

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* Mr. Adams never took his seat on the bench.

† Chief Justice Cushing resigned on being appointed one of the Justices of the Supreme Court of the United States.

‡ Chief Justice Gray vacated his office by accepting an appointment as one of the Justices of the Supreme Court of the United States.

§ Chief Justice Holmes vacated his office by accepting an appointment as one of the Justices of the Supreme Court of the United States.

APPOINTED.		LEFT THE BENCH.		DIED.
1938.	Fred Tarbell Field,	1947.	Resigned.	1950.
1947.	Stanley Elroy Qua,	1956.	Resigned.	1965.
1956.	Raymond Sanger Wilkins,	1970.	Resigned.	1971.
1970.	G. Joseph Tauro,	1976.	Retired.	1994.
1976.	Edward F. Hennessey,	1989.	Retired.	
1989.	Paul J. Liacos,	1996.	Retired.	1999.
1996.	Herbert P. Wilkins,	1999.	Retired.	
1999.	Margaret H. Marshall.			

JUSTICES.

APPOINTED.		LEFT THE BENCH.		DIED.
1775.	William Cushing,	1789.	(Appointed C. J., 1777.)	1810.
1775.	Nathaniel Peaslee Sargent,	1791.	(Appointed C. J., 1790.)	1791.
1775.	William Reed,	1776.	Superseded.	1780.
1776.	Jedediah Foster,	1779.		1779.
1776.	James Sullivan,	1782.	Resigned.	1808.
1777.	David Sewall,	1789.	Resigned.*	1825.
1782.	Increase Sumner,	1797.	Res. to become Gov'r.	1799.
1785.	Francis Dana,	1806.	(Appointed C. J., 1791.)	1811.
1790.	Robert Treat Paine,	1804.	Resigned.	1814.
1790.	Nathan Cushing,	1800.	Resigned.	1812.
1792.	Thomas Dawes,	1802.	Resigned.	1825.
1797.	Theophilus Bradbury,	1803.	Removed.†	1803.
1800.	Samuel Sewall,	1814.	(Appointed C. J., 1814.)	1814.
1801.	Simeon Strong,	1805.		1805.
1801.	George Thacher,	1824.	Resigned.	1824.
1802.	Theodore Sedgwick,	1813.		1813.
1806.	Isaac Parker,	1830.	(Appointed C. J., 1814.)	1830.
1813.	Charles Jackson,	1823.	Resigned.	1855.
1814.	Daniel Dewey,	1815.		1815.
1814.	Samuel Putnam,	1842.	Resigned.	1853.
1815.	Samuel Sumner Wilde,	1850.	Resigned.	1855.
1824.	Levi Lincoln,	1825.	Res. to become Gov'r.	1868.
1825.	Marcus Morton,	1840.	Res. to become Gov'r.	1864.
1837.	Charles Augustus Dewey,	1866.		1866.
1842.	Samuel Hubbard,	1847.		1847.
1848.	Charles Edward Forbes,	1848.	Resigned.	1881.
1848.	Theron Metcalf,	1865.	Resigned.	1875.
1848.	Richard Fletcher,	1853.	Resigned.	1869.
1850.	George Tyler Bigelow,	1868.	(Appointed C. J., 1860.)	1878.

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* Mr. Justice Sewall resigned on being appointed Judge of the United States District Court for the District of Maine.

† Mr. Justice Bradbury was removed on account of physical disability.

APPOINTED.		LEFT THE BENCH.		DIED.
1852.	Caleb Cushing,	1853.	Resigned.‡	1879.
1853.	Benjamin Franklin Thomas,	1859.	Resigned.	1878.
1853.	Pliny Merrick,	1864.	Resigned.	1867.
1859.	Ebenezer Rockwood Hoar,	1869.	Resigned.*	1895.
1860.	Reuben Atwater Chapman,	1873.	(Appointed C. J., 1868.)	1873.
1864.	Horace Gray, Jr.,	1882.	(Appointed C. J., 1873.)	1902.
1865.	James Denison Colt,	1866.	Resigned.	1881.
1866.	Dwight Foster,	1869.	Resigned.	1884.
1866.	John Wells,	1875.		1875.
1868.	James Denison Colt,	1881.		1881.
1869.	Seth Ames,	1881.	Resigned.	1881.
1869.	Marcus Morton,	1890.	(Appointed C. J., 1882.)	1891.
1873.	Wm. Crowninshield Endicott,	1882.	Resigned.	1900.
1873.	Charles Devens, Jr.,	1877.	Resigned.†	1891.
1875.	Otis Phillips Lord,	1882.	Resigned.	1884.
1877.	Augustus Lord Soule,	1881.	Resigned.	1887.
1881.	Walbridge Abner Field,	1899.	(Appointed C. J., 1890.)	1899.
1881.	Charles Devens,†	1891.		1891.
1881.	William Allen,	1891.		1891.
1882.	Charles Allen,	1898.	Resigned.	1913.
1882.	Waldo Colburn,	1885.		1885.
1882.	Oliver Wendell Holmes,	1902.	(Appointed C. J., 1899.)	1935.
1885.	William Sewall Gardner,	1887.	Resigned.	1888.
1887.	Marcus Perrin Knowlton,	1911.	(Appointed C. J., 1902.)	1918.
1890.	James Madison Morton,	1913.	Resigned.	1923.
1891.	John Lathrop,	1906.	Resigned.	1910.
1891.	James Madison Barker,	1905.		1905.
1898.	John Wilkes Hammond,	1914.	Resigned.	1922.
1899.	William Caleb Loring,	1919.	Resigned.	1930.
1902.	Henry King Braley,	1929.		1929.
1905.	Henry Newton Sheldon,	1915.	Resigned.	1925.
1906.	Arthur Prentice Rugg,	1938.	(Appointed C. J., 1911.)	1938.
1911.	Charles Ambrose DeCourcy,	1924.		1924.
1913.	John Crawford Crosby,	1937.		1943.
1914.	Edward Peter Pierce,	1937.		1938.
1915.	James Bernard Carroll,	1932.		1932.
1919.	Charles Francis Jenney,	1923.		1923.

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* Mr. Justice Hoar resigned on being appointed to the office of Attorney-General of the United States.

† Mr. Justice Devens resigned on being appointed to the office of Attorney-General of the United States, and was reappointed to the Supreme Bench in 1881.

‡ Mr. Justice Cushing resigned on being appointed to the office of Attorney-General of the United States.

APPOINTED.		LEFT THE BENCH.		DIED.
1923.	William Cushing Wait, ...	1934.		1935.
1924.	George Augustus Sanderson,	1932.		1932.
1929.	Fred Tarbell Field, ...	1947.	(Appointed C. J., 1938.)	1950.
1932.	Charles Henry Donahue, ...	1944.	Resigned.	1952.
1932.	Henry Tilton Lummus, ...	1955.	Resigned.	1960.
1934.	Stanley Elroy Qua, ...	1956.	(Appointed C. J., 1947.)	1965.
1937.	Arthur Walter Dolan, ...	1949.	Resigned.	1949.
1937.	Louis Sherburne Cox, ...	1944.	Retired.	1961.
1938.	James Joseph Ronan, ...	1959.	Retired.	1960.
1944.	Raymond Sanger Wilkins, ..	1970.	(Appointed C. J., 1956.)	1971.
1944.	John Varnum Spalding, ...	1971.	Retired.	1981.
1947.	Harold Putnam Williams, ...	1962.	Resigned.	1965.
1949.	Edward A. Counihan, Jr., ...	1960.	Retired.	1961.
1955.	Arthur E. Whittemore, ...	1969.		1969.
1956.	R. Ammi Cutter, ...	1972.	Retired.	1993.
1960.	Paul G. Kirk, ...	1971.	Retired.	1981.
1961.	Jacob J. Spiegel, ...	1972.	Retired.	1984.
1962.	Paul Cashman Reardon, ...	1977.	Retired.	1988.
1969.	Francis J. Quirico, ...	1981.	Retired.	1999.
1970.	G. Joseph Tauro, ...	1976.	(Appointed C. J., 1970.)	1994.
1971.	Robert Braucher, ...	1981.		1981.
1971.	Edward F. Hennessey, ...	1989.	(Appointed C. J., 1976.)	
1972.	Benjamin Kaplan, ...	1981.	Retired.	
1972.	Herbert P. Wilkins, ...	1999.	(Appointed C. J., 1996.)	
1976.	Paul J. Liacos, ...	1996.	(Appointed C. J., 1989.)	1999.
1977.	Ruth I. Abrams,...........	2000.	Retired.	
1981.	Joseph R. Nolan, ...	1995.	Retired.	
1981.	Neil L. Lynch	2000.	Retired.	
1981.	Francis P. O'Connor, ...	1997.	Retired.	
1989.	John M. Greaney.			
1995.	Charles Fried, ...	1999.	Resigned.	
1996.	Margaret H. Marshall,......		(Appointed C.J., 1999)	
1997.	Roderick L. Ireland.			
1999.	Francis X. Spina.			
1999.	Judith A. Cowin.			
2000.	Martha B. Sosman.			
2000.	Robert J. Cordy.			

Justices of the Appeals Court since its Establishment in 1972.

CHIEF JUSTICES.

APPOINTED.		LEFT THE BENCH.		DIED.
1972.	Allan M. Hale,	1984.	Retired.	1997.
1984.	John M. Greaney,	1989.	(App'd to Sup. Jud. Ct., 1989.)	
1989.	Joseph P. Warner,	2000.	Retired.	2002.
2000.	Christopher J. Armstrong.			

ASSOCIATE JUSTICES.

APPOINTED.		LEFT THE BENCH.		DIED.
1972.	David A. Rose,	1976.	Retired.	1995.
1972.	Edmund V. Keville,	1979.	Retired.	
1972.	Reuben Goodman,	1982.		1982.
1972.	Donald R. Grant,	1988.	Retired.	
1972.	Christopher J. Armstrong,		(Ap'd C.J., 2000)	
1976.	Frederick L. Brown.			
1978.	John M. Greaney,	1989.	(Ap'd S.J.C., 1989.)	
1978.	Charlotte Anne Peretta.			
1979.	Raya S. Dreben,	1997.	Retired.	
1979.	Rudolph Kass,	2000.	Retired.	
1980.	Joseph R. Nolan,	1981.	(Ap'd Sup. Jud. Ct., 1981.)	
1981.	Kent B. Smith,	1997.	Retired.	
1982.	Joseph P. Warner,	2000.	Retired. (Ap'd C. J., 1989)	2002.
1984.	Edith W. Fine,	1995.	Retired.	1995.
1989.	George Jacobs.			
1990.	Gerald Gillerman,	1994.	Retired.	
1990.	Elizabeth A. Porada.			
1990.	Roderick L. Ireland,	1997.	(App'd. to Sup. Jud. Ct., 1997.)	
1990.	Mel L. Greenberg.			
1990.	Kenneth Laurence.			
1995.	J. Harold Flannery,	1998.		1998.
1995.	Barbara A. Lenk.			
1997.	Francis X. Spina,	1999.	(App'd to Sup. Jud. Ct., 1999)	
1997.	Susan S. Beck.			
1998.	Phillip Rapoza.			
1999.	Andre A. Gelinas.			
2000.	Fernande R.V. Duffly.			
2000.	Elspeth B. Cypher.			
2001.	John H. Mason.			
2001.	Joseph A. Grasso, Jr.			
2001.	R. Marc Kantrowitz.			
2001.	William I. Cowin.			

APPOINTED.		LEFT THE BENCH.		DIED.
2001.	Janis M. Berry.			
2001.	Gordon L. Doerfer.			
2001.	James F. McHugh.			
2001.	Scott L. Kafker.			
2001.	Cynthia J. Cohen.			
2001.	David A. Mills.			
2001.	Mark V. Green.			
2001.	Joseph A. Trainor.			

Justices of the Court of Common Pleas, from its Establishment in 1820 until its Abolition in 1859.

CHIEF JUSTICES.

APPOINTED.		LEFT THE BENCH.		DIED.
1820.	Artemas Ward,	1839.	Resigned.	1847.
1839.	John Mason Williams,	1844.	Resigned.	1868.
1844.	Daniel Wells,	1854.		1854.
1854.	Edward Mellen,	1859.		1875.

JUSTICES.

APPOINTED.		LEFT THE BENCH.		DIED.
1820.	Solomon Strong,	1842.	Resigned.	1850.
1820.	John Mason Williams,	1844.	(Appointed C. J., 1839.)	1868.
1820.	Samuel Howe,	1828.		1828.
1828.	David Cummins,	1844.	Resigned.	1855.
1839.	Charles Henry Warren,	1844.	Resigned.	1874.
1842.	Charles Allen,	1844.	Resigned.	1869.
1843.	Pliny Merrick,	1848.	Resigned.	1867.
1844.	Joshua Holyoke Ward,	1848.		1848.
1844.	Emory Washburn,	1847.	Resigned.	1877.
1844.	Luther Stearns Cushing,	1848.	Resigned.	1856.
1845.	Harrison Gray Otis Colby,	1847.	Resigned.	1853.
1847.	Charles Edward Forbes,	1848.	App'd to Sup. Jud. Ct.	1881.
1847.	Edward Mellen,	1859.	(Appointed C. J., 1854.)	1875.
1848.	George Tyler Bigelow,	1850.	App'd to Sup. Jud. Ct.	1878.
1848.	Jonathan Cogswell Perkins,	1859.		1877.
1848.	Horatio Byington,	1856.		1856.
1848.	Thomas Hopkinson,	1849.	Resigned.	1856.
1849.	Ebenezer Rockwood Hoar,	1855.	Resigned.	1895.
1850.	Pliny Merrick,	1853.	App'd to Sup. Jud. Ct.	1867.
1851.	Henry Walker Bishop,	1859.		1871.
1853.	George Nixon Briggs,	1859.		1861.

APPOINTED.		LEFT THE BENCH.	DIED.
1854.	George Partridge Sanger, . . .	1859.	1890.
1855.	Henry Morris, ...	1859.	1888.
1856.	David Aiken, ...	1859.	1895.

Justices of the Superior Court for the County of Suffolk from its Establishment in 1855 until its Abolition in 1859.

CHIEF JUSTICES.

APPOINTED.		LEFT THE BENCH.	DIED.
1855.	Albert Hobart Nelson, ...	1857.	1858.
1858.	Charles Allen,*	1859.	1869.

JUSTICES.

APPOINTED.		LEFT THE BENCH.	DIED.
1855.	Josiah Gardner Abbot, ...	1858.	1891.
1855.	Charles Phelps Huntington, .	1859.	1868.
1855.	Stephen Gordon Nash, ...	1859.	1894.
1858.	Marcus Morton,†	1859.	1891.

Justices of the Superior Court since its Establishment in 1859.

CHIEF JUSTICES.

APPOINTED.		LEFT THE BENCH.		DIED.
1859.	Charles Allen, ...	1867.	Resigned.	1869.
1867.	Seth Ames, ...	1869.	App'd to Sup. Jud. Ct.	1881.
1869.	Lincoln Flagg Brigham, ...	1890.	Resigned.	1895.
1890.	Albert Mason, ...	1905.		1905.
1905.	John Adams Aiken, ...	1922.	Resigned.	1927.
1922.	Walter Perley Hall, ...	1937.	Resigned.	1942.
1937.	John Patrick Higgins, ...	1955.		1955.
1955.	Paul Cashman Reardon, ...	1962.	App'd to Sup. Jud. Ct.	1988.
1962.	G. Joseph Tauro, ...	1970.	App'd C. J., Sup. Jud. Ct.	1994.
1970.	Walter H. McLaughlin,** . .	1977.	Retired.	1995.
1977.	Robert M. Bonin, ...	1978.	Resigned.	

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* In 1859 Charles Allen became the first Chief Justice of the Superior Court of the Commonwealth.

† In 1859 Marcus Morton became one of the Associate Justices of the Superior Court of the Commonwealth.

** In 1977 Chief Justice Walter H. McLaughlin was compelled to retire once he reached the mandatory retirement age of 70.

*** Under the provisions of Chapter 478 of the Acts of 1978 (Judicial Reform Act) the term of the office for the Chief Justice of the Superior Court is five years. After a term has been completed, the former chief justice reverts to being an associate justice of the Superior Court.

APPOINTED.		LEFT THE BENCH.		DIED.
1978.	James P. Lynch, Jr.,***	1983.(see footnote on previous page)		
1983.	Thomas R. Morse, Jr.,	1988.	Retired.	1991.
1988.	Robert L. Steadman,	1993.	Retired.	
1993.	John J. Irwin, Jr.,	1998.	(App'd. C.A.J. Trial Court).	
1994.	Robert A. Mulligan,***(see footnote on previous page)			
1999.	Suzanne V. DelVecchio.			

JUSTICES.

APPOINTED.		LEFT THE BENCH.		DIED.
1859.	Julius Rockwell,	1886.	Resigned.	1888.
1859.	Otis Phillips Lord,	1875.	App'd to Sup. Jud. Ct.	1884.
1859.	Marcus Morton,	1869.	App'd to Sup. Jud. Ct.	1891.
1859.	Seth Ames,	1869.	(Appointed C. J., 1867.)	1881.
1859.	Ezra Wilkinson,	1882.		1882.
1859.	Henry Vose,	1869.		1869.
1859.	Thomas Russell,	1867.	Resigned.	1887.
1859.	John Phelps Putnam,	1882.		1882.
1859.	Lincoln Flagg Brigham,	1890.	(Appointed C. J., 1869.)	1895.
1867.	Chester Isham Reed,	1871.	Resigned.	1873.
1867.	Charles Devens, Jr.,	1873.	App'd to Sup. Jud. Ct.	1891.
1869.	Henry Austin Scudder,	1872.	Resigned.	1895.
1869.	Francis Henshaw Dewey,	1881.	Resigned.	1887.
1869.	Robert Carter Pitman,	1891.		1891.
1871.	John William Bacon,	1888.		1888.
1871.	William Allen,	1881.	App'd to Sup. Jud. Ct.	1891.
1873.	Peleg Emory Aldrich,	1895.		1895.
1875.	Waldo Colburn,	1882.	App'd to Sup. Jud. Ct.	1885.
1875.	William Sewall Gardner,	1885.	App'd to Sup. Jud. Ct.	1888.
1881.	Hamilton Barclay Staples,	1891.		1891.
1881.	Marcus Perrin Knowlton,	1887.	App'd to Sup. Jud. Ct.	1918.
1882.	Caleb Blodgett,	1900.	Resigned.	1901.
1882.	Albert Mason,	1905.	(Appointed C. J., 1890.)	1905.
1882.	James Madison Barker,	1891.	App'd to Sup. Jud. Ct.	1905.
1885.	Charles Perkins Thompson,	1894.		1894.
1886.	John Wilkes Hammond,	1898.	App'd to Sup. Jud. Ct.	1922.
1886.	Justin Dewey,	1900.		1900.
1887.	Edgar Jay Sherman,	1911.	Retired.	1914.
1888.	John Lathrop,	1891.	App'd to Sup. Jud. Ct.	1910.
1888.	James Robert Dunbar,	1898.	Resigned.	1915.
1888.	Robert Roberts Bishop,	1909.		1909.
1890.	Daniel Webster Bond,	1911.		1911.
1891.	Henry King Braley,	1902.	App'd to Sup. Jud. Ct.	1929.
1891.	John Hopkins,	1902.		1902.

APPOINTED.		LEFT THE BENCH.		DIED.
1891.	Elisha Burr Maynard, ...	1906.		1906.
1891.	Franklin Goodridge Fessenden,	1922.	Resigned.	1931.
1892.	John William Corcoran, ...	1893.	Resigned.	1904.
1892.	James Bailey Richardson, . .	1911.		1911.
1893.	Charles Sumner Lilley, ...	1900.	Resigned.	1931.
1894.	Henry Newton Sheldon, ...	1905.	App'd to Sup. Jud. Ct.	1925.
1895.	Francis Almon Gaskill, ...	1909.		1909.
1896.	John Henry Hardy, ...	1917.		1917.
1896.	Henry Wardwell, ...	1898.	Resigned.	1922.
1898.	William Burnham Stevens, .	1917.	Resigned.	1931.
1898.	Charles Upham Bell, ...	1917.	Resigned.	1922.
1898.	John Adams Aiken, ...	1922.	(Appointed C. J., 1905.)	1927.
1900.	Frederick Lawton, ...	1926.	Resigned.	1941.
1900.	Edward Peter Pierce, ...	1914.	App'd to Sup. Jud. Ct.	1938.
1900.	Jabez Fox, ...	1921.	Retired.	1923.
1902.	Charles Ambrose DeCourcy,	1911.	App'd to Sup. Jud. Ct.	1924.
1902.	Robert Orr Harris, ...	1911.	Resigned.	1926.
1902.	Lemuel LeBaron Holmes, . .	1907.		1907.
1902.	William Cushing Wait, ...	1923.	App'd to Sup. Jud. Ct.	1935.
1902.	William Schofield, ...	1911.	Resigned.	1912.
1903.	Lloyd Everett White, ...	1921.	Resigned.	1921.
1903.	Loranus Eaton Hitchcock, . .	1920.		1920.
1905.	John Crawford Crosby, ...	1913.	App'd to Sup. Jud. Ct.	1943.
1905.	John Joseph Flaherty, ...	1906.		1906.
1906.	William Franklin Dana, ...	1920.	Resigned.	1920.
1906.	John Freeman Brown, ...	1924.		1924.
1907.	Henry Amasa King, ...	1923.	Resigned.	1932.
1907.	George Augustus Sanderson,	1924.	App'd to Sup. Jud. Ct.	1932.
1907.	Robert Fulton Raymond, . . .	1929.		1929.
1909.	Marcus Morton, ...	1939.		1939.
1909.	Charles Francis Jenney, ...	1919.	App'd to Sup. Jud. Ct.	1923.
1911.	Joseph Francis Quinn, ...	1929.		1929.
1911.	John Dwyer McLaughlin, . .	1931.		1931.
1911.	Walter Perley Hall, ...	1937.	(Appointed C. J., 1922.)	1942.
1911.	Hugo Adelard Dubuque, . . .	1928.		1928.
1911.	John Bernard Ratigan, ...	1915.		1915.
1911.	Patrick Michael Keating, . . .	1935.		1935.
1911.	Nathan Dexter Pratt, ...	1914.		1914.
1911.	Frederick Hathaway Chase, .	1920.	Resigned.	1948.
1911.	Richard William Irwin, ...	1929.	Resigned.	1932.
1914.	William Hamilton, ...	1918.		1918.
1914.	Christopher Theodore Callahan,	1929.		1929.

APPOINTED.		LEFT THE BENCH.		DIED.
1914.	James Bernard Carroll,	1915.	App'd to Sup. Jud. Ct.	1932.
1915.	James Henry Sisk,	1937.	Resigned.	1938.
1915.	Philip Joseph O'Connell,	1931.		1931.
1917.	Webster Thayer,	1933.		1933.
1917.	Charles Edward Shattuck,	1918.		1918.
1917.	Franklin Tweed Hammond,	1940.	Resigned.	1959.
1918.	Nelson Pierce Brown,	1946.		1946.
1918.	Louis Sherburne Cox,	1937.	App'd to Sup. Jud. Ct.	1961.
1919.	Edward Lyman Shaw,	1921.	Resigned.	1943.
1920.	Fred'k Woodbury Fosdick,	1943.		1943.
1920.	Elias Bullard Bishop,	1934.		1934.
1920.	George Aloysius Flynn,	1928.		1928.
1921.	Henry Tilton Lummus,	1932.		1960.
1921.	William Adams Burns,	1949.	Resigned.	1951.
1921.	Stanley Elroy Qua,	1934.	App'd to Sup. Jud. Ct.	1965.
1922.	Alonzo Rogers Weed,	1936.		1936.
1922.	Frederick Joseph Macleod,	1935.		1935.
1922.	Joseph Walsh,	1946.		1946.
1922.	Winfred Holt Whiting,	1937.		1937.
1923.	Edward Thomas Broadhurst,	1955.		1955.
1923.	Fred'c Brendlesome Greenhalge,	1945.	Resigned.	1954.
1924.	Charles Henry Donahue,	1932.	App'd to Sup. Jud. Ct.	1952.
1924.	David Abraham Lourie,	1930.		1930.
1925.	Franklin Freeman,	1926.		1926.
1925.	Wilford Drury Gray,	1939.		1939.
1926.	David Francis Dillon,	1948.		1948.
1926.	Harold Putnam Williams,	1947.	App'd to Sup. Jud. Ct.	1965.
1928.	Walter Leo Collins,	1959.	Resigned.	1975.
1928.	Daniel Theodore O'Connell,	1958.	Resigned.	1958.
1929.	Thomas Jasper Hammond,	1946.		1946.
1929.	John Mellen Gibbs,	1937.		1937.
1929.	Raoul Henri Beaudreau,	1956.	Resigned.	1956.
1929.	Edward Francis Hanify,	1954.		1954.
1930.	Abraham Edward Pinanski,	1949.		1949.
1931.	James Corcoran Donnelly,	1952.		1952.
1931.	John Joseph Burns,	1934.	Resigned.	1957.
1932.	Frank Joseph Donahue,	1973.	Retired.	1979.
1932.	Lewis Goldberg,	1973.	Retired.	1974.
1933.	John Edward Swift,	1967.		1967.
1934.	Vincent Brogna,	1960.		1960.
1934.	George Francis Leary,	1954.		1954.
1935.	Joseph Alphonsus Sheehan,	1942.		1942.

APPOINTED.		LEFT THE BENCH.		DIED.
1935.	Thomas Henry Dowd,	1958.	Resigned.	1958.
1935.	Joshua Arthur Baker,	1951.		1951.
1937.	Joseph Leo Hurley,	1956.		1956.
1937.	Francis Joseph Good,	1958.		1958.
1937.	Jesse Whitman Morton,	1962.		1962.
1937.	William Clement Giles,	1956.	Retired.	1959.
1937.	Paul Grattan Kirk,	1960.	App'd to Sup. Jud. Ct.	1981.
1939.	Allan Gordon Buttrick,	1951.	Retired.	1954.
1939.	Felix Forte,	1973.	Retired.	1975.
1940.	Joseph Everett Warner,	1958.		1958.
1942.	John Varnum Spalding,	1944.	App'd to Sup. Jud. Ct.	1981.
1943.	Charles Codman Cabot,	1947.	Resigned.	1976.
1944.	John Vincent Sullivan,	1962.		1962.
1945.	Richard M. Walsh,	1946.	Retired.	1952.
1946.	Eugene A. Hudson,	1972.		1972.
1946.	Edward J. Voke,	1965.		1965.
1946.	Frank J. Murray,	1967.	App'd U.S. Dist. Ct.	1995.
1946.	Daniel D. O'Brien,	1963.		1963.
1947.	Horace Tracy Cahill,	1973.	Retired.	1976.
1947.	Frank Edward Smith,	1973.	Retired.	1978.
1948.	Charles Fairhurst,	1973.	Retired.	1975.
1949.	Charles A. Rome,	1959.		1959.
1949.	David G. Nagle,	1960.		1960.
1951.	John Henry Meagher,	1978.	Retired.	1988.
1952.	Wilfred J. Paquet,	1973.	Retired.	1987.
1952.	Edward A. Pecce,	1970.	Retired.	1973.
1954.	Edmund R. Dewing,	1965.	Retired.	1981.
1954.	Reuben L. Lurie,	1973.	Retired.	1985.
1956.	Donald M. Macaulay,	1971.	Retired.	1980.
1956.	George E. Thompson,	1973.		1973.
1956.	Francis J. Quirico,	1969.	App'd to Sup. Jud. Ct.	1998.
1956.	Charles S. Bolster,	1966.	Retired.	
1958.	John M. Noonan,	1971.	Retired.	1975.
1958.	Frank W. Tomasello,	1973.	Retired.	1986.
1958.	Edward O. Gourdin,	1966.		1966.
1958.	August C. Taveira,	1983.	Retired.	
1958.	John W. Coddaire, Jr.,	1975.	Retired.	1989.
1958.	Stanley W. Wisnioski,	1961.		1961.
1958.	James L. Vallely,	1983.	Retired.	1995.
1958.	Edward J. DeSaulnier, Jr.,	1972.	Resigned.	1990.
1958.	Robert Sullivan,	1976.		1976.
1959.	Jennie Loitman Barron,	1969.		1969.

APPOINTED.		LEFT THE BENCH.		DIED.
1959.	Francis John Good,	1982.	Retired.	1994.
1960.	Daniel J. O'Connell, Jr.,	1962.	Resigned.	1977.
1960.	David A. Rose,	1972.	App'd Appeals Court.	1995.
1960.	Thomas J. Spring,	1974.	Retired.	1980.
1960.	Vincent R. Brogna,	1982.	Retired.	
1961.	G. Joseph Tauro,	1970.	(Appointed C. J., 1962.)	1994.
1962.	Francis L. Lappin,	1985.	Retired.	1993.
1962.	Joseph Ford,	1984.	Retired.	1997.
1962.	Thomas J. O'Malley,	1969.		1969.
1962.	Harry Kalus,	1974.	Retired.	1980.
1962.	Amedeo V. Sgarzi,	1973.	Retired.	1991.
1962.	Robert H. Beaudreau,	1980.		1980.
1962.	Henry H. Chmielinski, Jr.,	1982.	Retired.	1983.
1963.	Cornelius J. Moynihan,	1975.	Retired.	1986.
1963.	George P. Ponte,	1975.	Retired.	1991.
1965.	Frederick S. Pillsbury,	1966.	Resigned.	1996.
1965.	Joseph K. Collins,	1973.	Retired.	1988.
1966.	Joseph S. Mitchell, Jr.,	1992.	Retired.	1999.
1967.	Edward F. Hennessey,	1971.	App'd to Sup. Jud. Ct.	
1967.	Allan M. Hale,	1972.	App'd C. J. Appeals Ct.	1997.
1967.	Walter H. McLaughlin,	1977.	(Appointed C. J., 1970.)	1995.
1967.	Samuel T. Tisdale,	1979.	Retired.	1995.
1968.	James Charles Roy,	1977.	Retired.	1990.
1968.	Andrew R. Linscott,	1984.	Retired.	1989.
1968.	Edward H. Bennett, Jr.,	1983.	Retired.	1997.
1968.	Henry M. Leen,	1977.	Retired.	1997.
1969.	Alan J. Dimond,	1986.	Retired.	
1969.	Levin H. Campbell,	1972.	App'd U.S. District Ct.	
1969.	Paul V. Rutledge,	1986.	Retired.	1993.
1970.	Paul K. Connolly,	1976.	Retired.	1996.
1970.	Thomas E. Dwyer,	1986.	Retired.	2002.
1971.	John Francis Moriarty,	1997.	Retired.	1999.
1971.	Herbert F. Travers, Jr.,	1997.	Retired.	
1972.	Paul A. Tamburello,	1976.	Retired.	1992.
1972.	John J. McNaught,	1979.	App'd U.S. District Ct.	1994.
1972.	Ruth I. Abrams,	1977.	App'd to Sup. Jud. Ct.	
1972.	George J. Hayer,	1985.	Retired.	
1972.	James P. Lynch, Jr.,	1991.	Retired. (C. J. 1978-1983.)	
1972.	Kent Benedict Smith,	1981.	App'd Appeals Ct.	
1973.	Raymond R. Cross,	1991.	Retired.	
1973.	Roger Joseph Donohue,	1994.	Retired.	
1973.	Eileen P. Griffin,	1986.	Retired.	2001.

APPOINTED.		LEFT THE BENCH.		DIED.
1973.	Arthur M. Mason,	1992.	Retired. (C.A.J.- T.C.)	
1973.	David S. Nelson,	1979.	App'd U.S. Dist. Ct.	1995.
1973.	Harry Zarrow,	1976.	Retired.	1990.
1973.	Robert J. Hallisey,	1990.	Retired.	
1973.	James P. McGuire,	1979.	Retired.	1999.
1973.	Samuel Adams,	1982.	Resigned.	
1973.	John P. Sullivan,	1992.	Retired.	
1973.	Thomas R. Morse, Jr.,	1988.	Retired. (C. J. 1983-1988)	1991.
1973.	John Tracy Ronan,	1992.	Retired.	
1974.	Francis W. Keating,	1987.		1987.
1974.	Robert S. Prince,	1988.	Retired.	
1976.	A. David Mazzone,	1978.	App'd U.S. Dist. Ct.	
1976.	John M. Greaney,	1978.	App'd App. Ct. & S.J.C.	
1976.	Francis P. O'Connor,	1981.	App'd to Sup. Jud. Ct.	
1976.	Charles R. Alberti,	1992.	Retired.	
1976.	John J. Irwin, Jr.,	1998.	Retired. (C.A.J.-Trial Ct.)	
1976.	Paul G. Garrity,	1984.	Resigned.	
1976.	Gordon L. Doerfer,	1981.	Resigned.	
1977.	Edith W. Fine,	1984.	App'd Appeals Court.	1995.
1978.	William W. Simons,	1993.	Retired.	
1978.	William G. Young,	1985.	App'd U.S. Dist. Ct.	
1978.	Joseph R. Nolan,	1980.	App'd App. Ct. & S.J.C.	
1979.	Robert A. Barton,	2000.	Retired.	
1979.	Robert V. Mulkern,	1992.	Retired.	
1979.	Rudolph F. Pierce,	1985.	Resigned.	
1979.	John F. Murphy, Jr.,	1997.	Retired.	
1979.	James P. Donohue.			
1979.	Augustus F. Wagner, Jr.,	1986.	Resigned.	
1979.	Chris Byron,	1992.	Retired.	
1979.	Herbert Abrams,	1993.	Retired.	
1979.	Andrew G. Meyer,	1993.	Retired.	
1979.	Robert L. Steadman,	1996.	Retired. (C. J. 1988-1993.)	
1979.	William C. O'Neil, Jr.,	1991.	Retired.	1991.
1979.	Hiller B. Zobel,	1999.	Retired.	
1979.	Elizabeth Dolan,	1999.	Retired.	
1979.	Peter F. Brady,	2003.	Retired.	
1979.	Richard S. Kelley,	1996.	Retired.	
1979.	William K. Mone,	1982.		1982.
1980.	George N. Hurd, Jr.,	1989.	Retired.	
1980.	Lawrence B. Urbano,	1991.	Retired.	
1980.	Walter E. Steele,	1996.	Retired.	
1981.	William H. Carey,	1996.	Retired.	

APPOINTED.		LEFT THE BENCH.		DIED.
1981.	George Jacobs,	1989.	App'd Appeals Court.	
1982.	Elizabeth Porada,	1990.	App'd Appeals Court.	
1982.	Sandra L. Hamlin.			
1982.	Gerald F. O'Neill, Jr.,	2001.	Retired.	
1982.	James D. McDaniel, Jr.,	2002.	Retired.	
1982.	John D. Sheehan,	1992.	Retired.	1997.
1982.	George C. Keady, Jr.,	1994.	Retired.	
1982.	Vieri Volterra,	2002.	Retired.	
1982.	James J. Nixon, Jr.,	1994.	Retired.	
1982.	Elbert Tuttle,	1992.	Retired.	
1982.	Robert A. Mulligan,		(C. J., 1994-1999)	
1982.	John L. Murphy, Jr.,	1994.	Retired.	
1983.	Mel L. Greenberg,	1990.	App'd Appeals Ct.	
1983.	Harry J. Elam,	1988.	Retired.	
1983.	Katherine Liacos Izzo,	1996.	Retired.	
1984.	J. Harold Flannery,	1995.	App'd Appeals Ct.	1998.
1985.	Paul A. Chernoff.			
1985.	Barbara J. Rouse.			
1985.	James F. McHugh,	2001.	App'd Appeals Ct.	
1985.	Cortland A. Mathers,	1994.	Retired.	
1985.	Charles M. Grabau.			
1985.	Suzanne DelVecchio.		(App't C.J., 1999)	
1985.	Robert W. Banks,	1997.	Retired.	
1986.	R. Malcolm Graham.			
1986.	William H. Welch,	1997.	Retired.	1998.
1986.	Constance M. Sweeney.			
1987.	Catherine A. White.			
1987.	John C. Cratsley.			
1988.	John M. Xifaras,	2000.	Retired.	
1988.	J. Owen Todd,	1992.	Resigned.	
1989.	Barbara A. Dortch-Okara,		App'd C. A. J.- Trial Ct.	
1989.	Wendie I. Gershengorn.			
1989.	Patrick J. King,	2003.	Retired.	
1989.	Daniel A. Ford.			
1989.	Robert H. Bohn, Jr.			
1989.	David M. Roseman,	1999.	Retired.	
1989.	Elizabeth B. Donovan.			
1989.	Margot Botsford.			
1989.	Peter M. Lauriat.			
1989.	Patrick F. Brady.			
1989.	Patti B. Saris,	1994.	App'd U.S. Dist. Ct.	
1990.	Gordon L. Doerfer,	2001.	App'd Appeals Ct.	

APPOINTED.		LEFT THE BENCH.		DIED.
1990.	Julian T. Houston.			
1990.	Charles F. Barrett,	2000.	Retired.	
1990.	Thomas E. Connolly.			
1990.	John A. Tierney.			
1990.	Richard G. Stearns,	1994.	App'd U.S. Dist. Ct.	
1990.	Elizabeth Butler.			
1990.	John J. O'Brien,	2000.	Retired.	
1990.	Richard F. Connon.			
1990.	George A. O'Toole,	1995.	App'd U.S. Dist. Ct.	
1990.	Charles J. Hely.			
1991.	Judith A. Cowin,	2000.	App'd Sup. Jud. Ct.	
1992.	Charles T. Spurlock.			
1992.	Stephen E. Neel.			
1992.	Regina L. Quinlan.			
1992.	Isaac Borenstein.			
1992.	Mary-Lou Rup.			
1992.	Daniel F. Toomey,	2002.		2002.
1993.	Francis X. Spina,	1997.	Ap'd Ap Ct. & S.J.C.	
1993.	Martha B. Sosman,	2000.	App'd Sup. Jud. Ct.	
1993.	Maria I. Lopez,	2003.	Resigned.	
1993.	E. Susan Garsh.			
1993.	Margaret R. Hinkle.			
1993.	Howard J. Whitehead.			
1993.	Judd J. Carhart.			
1993.	James P. Dohoney,	1998.		1998.
1993.	Thayer Fremont-Smith,	2001.	Retired.	
1993.	Richard J. Chin.			
1993.	Joseph A. Grasso, Jr.,	2001.	App'd Appeals Ct.	
1993.	Barbara A. Lenk,	1995.	App'd Appeals Ct.	
1994.	Christine M. McEvoy.			
1994.	Richard E. Welch, III.			
1994.	Bertha D. Josephson.			
1995.	Herman J. Smith, Jr.			
1995.	Raymond J. Brassard.			
1995.	Diane M. Kottmyer.			
1996.	Francis R. Fecteau.			
1996.	Carol S. Ball.			
1996.	Philip Rivard-Rapoza,	1998.	App'd Appeals Ct.	
1996.	Lawrence B. Wernick.			
1996.	Judith Fabricant.			
1996.	Mitchell J. Sikora, Jr.			
1996.	Nonnie S. Burnes.			

APPOINTED.		LEFT THE BENCH.		DIED.
1996.	Allan vanGestel.			
1996.	Nancy Staffier.			
1997.	C. Brian McDonald.			
1997.	Ralph D. Gants.			
1998.	Peter A. Velis.			
1998.	Thomas J. Curley, Jr.			
1998.	Linda E. Giles.			
1998.	Timothy S. Hillman.			
1998.	Gary A. Nickerson.			
1999.	S. Jane Haggerty.			
1999.	Tina S. Page.			
1999.	Elizabeth M. Fahey.			
1999.	David A. McLaughlin.			
1999.	Leila R. Kern.			
2000.	Joseph M. Walker, III.			
2000.	Peter W. Agnes, Jr.			
2000.	John S. McCann.			
2000.	Ernest B. Murphy.			
2001.	Geraldine S. Hines.			
2001.	Christopher J. Muse.			
2001.	Robert J. Kane.			
2001.	David A. Lowy.			
2001.	Jeffrey A. Locke.			
2001.	Janet L. Sanders.			
2001.	Thomas P. Billings.			
2002.	Paul E. Troy.			
2002.	John A. Agostini.			
2002.	Bonnie H. MacLeod.			
2002.	John P. Connor, Jr.			
2002.	Patrick J. Riley.			
2002.	Richard T. Moses.			
2003.	Kenneth J. Fishman.			

Judges of the Land Court since its Establishment in 1898 as the Court of Registration.

JUDGES.

APPOINTED.		LEFT THE BENCH.		DIED.
1898.	Leonard A. Jones,	1909.	Resigned.	1909.
1909.	Charles Thornton Davis,	1936.		1936.
1936.	Michael A. Sullivan,	1937.		1937.

APPOINTED.		LEFT THE BENCH.		DIED.
1937.	John E. Fenton, ...	1966.	Retired.	1974.
1966.	Elwood H. Hettrick, ...	1971.	Retired.	1972.
1971.	William I. Randall, ...	1985.	Retired.	

ADMINISTRATIVE JUSTICES. (NOW CHIEF JUSTICES).

APPOINTED.		LEFT THE BENCH.		DIED.
1985.	Marilyn M. Sullivan, ...	1993.		
1990.	John E. Fenton, Jr., ...	1994.	(App'd C.A.J. of T.C.,'92)	
1992.	Robert V. Cauchon, ...	1996.	Retired.	
1996.	Peter W. Kilborn, ...	2003.		
2003.	Karyn Faith Scheier.			

ASSOCIATE JUDGES. (NOW JUSTICES).

APPOINTED.		LEFT THE BENCH.		DIED.
1898.	Charles Thornton Davis, .	1936.	(App'd Judge, 1909).	1936.
1909.	Louis M. Clark, ...	1914.		1914.
1914.	Joseph J. Corbett, ...	1937.	Retired.	1949.
1924.	Clarence C. Smith, ...	1943.		1943.
1937.	Patrick J. Courtney, ...	1952.	Retired.	1966.
1943.	Joseph R. Cotton, ...	1965.	Retired.	1983.
1952.	Edward McPartlin, ...	1973.	Retired.	1973.
1965.	Joseph P. Silverio, ...	1974.	Retired.	
1973.	Marilyn M. Sullivan, ...	1993.	Retired. (A. J., 85-90.)	
1974.	John E. Fenton, Jr., ...	1994.	Retired. (A. J., 90-92.)	
1986.	Robert V. Cauchon, ...	1996.	Retired. (A. J., 92-96.)	
1990.	Peter W. Kilborn, ...	2003.	Retired. (C. J., 96.)	
1994.	Karyn Faith Scheier.			
1995.	Leon J. Lombardi.			
1997.	Mark V. Green, ...	2001.		
2002.	Alexander H. Sands III.			
2002.	Charles W. Trombley, Jr.			
2002.	Gordon H. Piper.			

PRESENT ORGANIZATION OF THE COURTS.

[All judges in the Commonwealth are appointed by the Governor with the advice and consent of the Council and hold office during good behavior until age seventy.]

SUPREME JUDICIAL COURT.

[General Laws, Chapter 211.]
Roderick L. Ireland of Milton, *Chief Justice.*

Justices.

Francis X. Spina of Pittsfield
Judith A. Cowin of West Newton.
Robert J. Cordy of North Reading.
Margot Botsford of Jamaica Plain.
Ralph D. Gants of Lexington.
Fernande R.V. Duffly of Cambridge.

Susan Mellen of Boston, *Clerk of the Commonwealth,* Suite 1400, John Adams Court House.

Jane Kenworthy Lewis of Cambridge, *Assistant Clerk for the Commonwealth,* Suite 1400, John AdamsCourt House.

Maura Sweeney Doyle of Boston, *Clerk for the County of Suffolk,* Suite 1300, John Adams Court House.

[*Vacancy*], *First Assistant Clerk for the County of Suffolk,* Suite 1300, John Adams Court House.

George E. Slyva of Milton, *Second Assistant Clerk for the County of Suffolk, Suite 1300, John Adams* Court House.

Eric B. Wetzel of Burlington, *Third Assistant Clerk for the County of Suffolk,* Suite 1300, John Adams Court House.

C. Clifford Allen III of Beverly, *Reporter of Decisions, Suite 2500*, John Adams Court House.

Virginia Shea Thurler, *Executive Assistant to the Chief Justice of the Supreme Judicial Court,* Suite 2200, John Adams Court House.

Francis S. Moran, Jr., *Executive Director, Suite 2300, John Adams* Courthouse.

Christine Burak., *Legal Counsel to the Chief Justice, Suite 2200*, John Adams Court House.

Neal Quenzer, *Chief of Staff Counsel* , Suite 2500 John Adams Courthouse.

APPEALS COURT.

[General Laws, Chapter 211A.]

Phillip Rapoza of Boston, *Chief Justice.*

Justices.

Barbara A. Lenk of Carlisle.
Fernande R.V. Duffly of Cambridge.
Elspeth B. Cypher of Boston.
Joseph A. Grasso, Jr. of Concord.
R. Marc Kantrowitz of Canton.
William I. cowin of Newton.
Janis M Berry of Marblehead.
James F. McHugh III of Charlestown.
Scott L. Kafker of Swampscott.
Cynthia J. Cohen of Cambridge.
David A. Mills of Danvers.
Mark V. Green of Brookline.
Joseph A. Trainor of Chelmsford.
R. Malcolm Graham of Newton.
Gary S. Katzmann of Brookline.
Ariane D. Vuono of Florence.
Andrew R. Grainger of Boston.
William J. Meade of Melrose.
Mitchell J. Sikora, Jr. of West Roxbury.
Peter J. Rubin of Newton.
Francis R. Fecteau of Worcester.
Gabrielle R. Wolohojian of Cambridge.
James R. Milkey of Newton.
Sydney Hanlon of Dorchester.
Judd J. Carhart of Florence.
Frederick L. Brown of Belmont. (Recall)
Raya S. Dreben of Belmont. (Recall)
Kent B. Smith of Longmeadow. (Recall)

Clerks.

Joseph Stanton of Braintree, *Clerk,* John Adams Court House, One Pemberton Square, Boston, MA 02108.
Lena M. Wong of Brookline, *Assistant Clerk,* John Adams Court House, One Pemberton Square, Boston, MA 02108.
Christa A. Arcos of Peabody, Assistant Clerk, John Adams Court House, One Pemberton Square, Boston, MA 02108.
Paul Kenneally of Braintree, Assistant Clerk, John Adams Court House, One Pemberton Square, Boston, MA 02108.
Gilbert P. Lima of Rehaboth, *Court Administrator*, John Adams Court House, One Pemberton Square, Boston, MA 02108.

TRIAL COURT.

[General Laws, Chapter 211B.]

Robert A. Mulligan of Wellesley, *Chief Justice for Administration and Management.*

Robert P. Panneton, Chief of Staff.

Francis J. Carney, Ph. D., Executive Director.

SUPERIOR COURT DEPARTMENT OF THE TRIAL COURT.

[General Laws, Chapter 212.]

Barbara Rouse, Charlestown, *Chief Justice*

Justices.

Sandra L. Hamlin of Boston.
Paul A. Chernoff of Newton.
Constance M. Sweeney of Wilbraham.
John C. Cratsley of Concord.
Barbara A. Dortch-Okara of Canton.
Wendie I. Gershengorn of Weston.
Daniel A. Ford of Pittsfield.
Elizabeth B. Donovan of Jamaica Plain.
Peter M. Lauriat of Concord.
Patrick F. Brady of Needham.
Thomas E. Connolly of Boston.
Charles J. Hely of Needham.
Charles T. Spurlock of Cambridge.
Stephen E. Neel of Watertown.
Regina L. Quinlan of Charlestown.
Mary-Lou Rup of Whately.
E. Susan Garsh of Belmont.
Margaret R. Hinkle of Boston.
Howard J. Whitehead of Lynnfield.
Richard J. Chin of Brockton.
Richard E. Welch, III, of Newburyport.
Bertha D. Josephson of Easthampton.
Herman J. Smith, Jr., of Medford.
Raymond J. Brassard of Needham.
Diane M. Kottmyer of Winchester.
Carol S. Ball of Boston.
Judith Fabricant of Brookline.
Nancy Holtz of Swampscott.
C. Brian McDonald of Springfield.
Peter A. Velis of Westfield.
Linda E. Giles of Jamaica Plain.
Gary A. Nickerson of Sandwich.
S. Jane Haggerty of Lexington.
Tina S. Page of Springfield.
Elizabeth M. Fahey of Newton.
Leila R. Kern of Waltham.
Joseph M. Walker, III, of Roslindale.
Peter W. Agnes, Jr. of Wayland.
Geraldine S. Hines of Roxbury.
Christopher J. Muse of Boston.
Robert J. Kane of South Dartmouth.
David A. Lowy of Marblehead.
Jeffrey A. Locke of Wellesley.
Janet L. Sanders of Brookline.
Thomas P. Billings of Lincoln.
Paul E. Troy of Hingham.
John A. Agostini of Williamstown.
Bonnie H. MacLeod of Wakefield.
John P. Connor, Jr., of Walpole.
Richard T. Moses of Dartmouth.
Kenneth J. Fishman of Lexington.
Robert C. Rufo of Harwich Port.
Frances A. McIntyre of Boston.
Frank M. Gaziano of Scituate.
D. Lloyd Macdonald of Boston.
Thomas R. Murtagh of Andover.
Bruce R. Henry of Belmont.
Thomas A. Connors of Milton.
John T. Lu of Andover.
Kathe M. Tuttman of Andover.
Merita A. Hopkins of Boston.
Cornelius J. Moriarty, II of South Hadley.
C. Jeffrey Kinder of Wilbraham.
James J. Lemire of Paxton.
Dennis J. Curren of Wellesley Hills.
Maureen B. Hogan of South Boston.
Robert C. Cosgrove of Braintree.
Christine M. Roach of Boston.

Timothy Q. Feeley of Marblehead.
Richard T. Tucker of Northborough.
Garry V. Inge of Boston.
Janet Kenton-Walker of Sutton.
Thomas F. McGuire, Jr. of Fall River.
Mitchell H. Kaplan of Newton.
Kimberly S. Budd
Douglas H. Wilkins
Richard J. Carey
Renee P. Dupuis
David Ricciardone

Dana L. Leavitt, *Court Administrator,* Superior Court Administrative Office, Suffolk County Courthouse, Three Pemberton Square, 13th floor, Boston.

Michael Joseph-Donovan, *Clerk Magistrate for Civil Business,* Suffolk County Courthouse, Three Pemberton Square, 12th floor, Boston.

Maura A. Hennigan, *Clerk Magistrate for Criminal Business,* Suffolk County Courthouse, Three Pemberton Square, 14th floor, Boston.

LAND COURT
DEPARTMENT OF THE TRIAL COURT.
[General Laws, Chapter 185.]

Chief Justice, Karyn Faith Scheier, Cambridge.

Associate Justices, Judtih C. Cutler, Lexington; Harry M. Grossman, Marblehead; Keith C. Long, Cambridge; Gordon H. Piper, Dover; Alexander H. Sands, III, Gloucester; Charles W. Trombley, Jr., North Andover.

Recorder, Deborah J. Patterson, Boston.

Court Administrator, Jill K. Ziter, Mansfield. 226 Causeway Street, Boston, MA 02114.

PROBATE AND FAMILY COURT
DEPARTMENT OF THE TRIAL COURT.
[General Laws, Chapter 215.]
Paula M. Carey, *Chief Justice.*
Kim J. Wright, *Court Administrator.*

Justices.

Jeffrey A. Abber, Associate Justice, Middlesex Division
Joan P. Armstrong, Associate Justice, Suffolk Division
Amy L. Blake, Associate Justice, Essex Division.
John D. Casey, Associate Justice, Essex Division.
Peter C. DiGangi, First Justice, Middlesex Division.
Edward F. Donnelly, Jr., Associate Justice, Middlesex Division.

John P. Cronin, Associate Justice, Essex Division.
Lucille A. DiLeo, Circuit Justice.
Barbara Hyland, Circuit Justice.
Edward G. Boyle, III, Associate Justice, Plymouth Division.
Linda S. Fidnick, Associate Justice, Hampshire Division.
David M. Fuller, Associate Justice, Hampden Division.
Anne M. Geoffrion, First Justice, Hampden Division.
Dorothy M. Gibson, Associate Justice, Middlesex Division.
Christina L. Harms, Associate Justice, Norfolk Division.
Spencer M. Kagan, Circuit Justice.
Randy J. Kaplan, First Justice, Nantucket Division.
Leilah A. Keamy, Associate Justice, Middlesex Division.
Ronald W. King, Associate Justice, Worcester Division.
Robert W. Langlois, First Justice, Norfolk Divison.
Elizabeth O'Neill LaStaiti, First Justice, Bristol Division.
E. Chouteau Levine, Associate Justice, Suffolk Division.
Mary McCauley Manzi, Associate Justice, Essex Division.
Prudence M. McGregor, Associate Justice, Bristol Division.
William F. McSweeney III, Associate Justice, Middlesex Division.
Denise Meagher, First Justice, Worcester, Division.
Virginia Ward, Circuit Justice.
James V. Menno, Associate Justice, Plymouth Division.
Maureen H. Monks, Associate Justice, Middlesex Division.
Elaine M. Moriarty, Associate Justice, Suffolk Division.
Anthony R. Nesi, Associate Justice, Bristol Division.
Angela M. Ordonez, Associate Justice, Norfolk Division.
Gail L. Perlman, First Justice, Hampshire Division.
Stephen M. Rainaud, Circuit Justice.
Susan D. Ricci, Associate Justice, Worcester Division.
Gregory V. Roach, Circuit Justice.
Lisa A. Roberts, Circuit Justice.
Arthur Ryley, Associate Justice, Barnstable Division.
Catherine P. Sabaitis, First Justice, Plymouth Division.
David G. Sacks, Associate Justice, Hampden Division.
Mary Ann Sahagian, Frist Justice, Essex Division.
Robert A. Scandurra, First Justice, Barnstable Division.
Richard A. Simons, Associate Justice, Berkshire Division.
John M. Smoot, First Justice, Suffolk Division.
Jeremy A. Stahlin, Associate Justice, Suffolk Division.
Stephen C. Steinberg, First Justice, Dukes Division.
Geoffrey A. Wilson, First Justice, Franklin Division.

HOUSING COURT DEPARTMENT OF THE TRIAL COURT.

[General Laws, Chapter 185C.]
Chief Justice, Steven D. Pierce.
Director of Court Operations, Paul J. Burke.

CITY OF BOSTON DIVISION.

First Justice, Jeffrey M. Winik. *Associate Justice,* MaryLou Muirhead. *Clerk-Magistrate,* Robert L. Lewis. *Chief Housing Specialist,* Michael Neville.

NORTHEASTERN DIVISION.

First Justice, David D. Kerman. *Clerk-Magistrate (Acting),* Susan M. Trippi. *Chief Housing Specialist,* Patrick J. McDonough.

SOUTHEASTERN DIVISION.

First Justice, Anne Kenney Chaplin. *Associate Justice,* Wilbur P. Edwards, Jr., *Clerk-Magistrate,* Mark R. Jeffries. *Chief Housing Specialist,* Suzette E. Fagan-Clarke.

WESTERN DIVISION.

First Justice, Dina E. Fein. *Associate Justice,* Robert G. Fields. *Clerk-Magistrate,* Peter Q. Montori. *Chief Housing Specialist,* Kevin R. Byrne.

WORCESTER DIVISION.

First Justice, Diana H. Horan. *Associate Justice,* Timothy F. Sullivan. *Clerk-Magistrate,* James A. Bisceglia. *Chief Housing Specialist,* Michael O'Mara.

DISTRICT COURT DEPARTMENT OF THE TRIAL COURT.

[General Laws, Chapter 218.]
Lynda Connolly, *Administrative Justice.*
Ellen S. Shapiro, *Director of Court Operations.*

COURT IDENTIFICATION.

Consistent with the provisions of St. 1980, c. 83, as amended, the divisions of the District Court Department except the Northern Berkshire and Southern Berkshire divisions, shall be referred to by the name of the city or town which is the principal place of sitting of the division.

The judicial districts of the several district and municipal courts are as follows:

BARNSTABLE.

Barnstable Division; Barnstable, Yarmouth and Sandwich. — *Justices,* Kathryn E. Hand, Joan E. Lynch, Don L. Carpenter. *Clerk-Magistrate,* Robert E. Powers.

Orleans Division; Provincetown, Truro, Wellfleet, Eastham, Orleans, Brewster, Chatham, Harwich and Dennis. — *Justices,* J. Thomas Kirkman, Lance J. Garth. *Clerk-Magistrate,* Charles J. Ardito, III, *Acting.*

Falmouth Division; Bourne, Falmouth and Mashpee. — *Justices,* Kevan J. Cunningham, Christopher D. Welch. *Clerk-Magistrate,* Edward B. Teague.

BERKSHIRE.

The district courts at Adams, North Adams and Williamstown were consolidated into the Northern Berkshire District as a result of section 166 of Chapter 478 of the Acts of 1978 (Court Reorganization).

Northern Berkshire Division, held at Adams and North Adams; Adams, North Adams, Williamstown, Clarksburg, Florida, New Ashford, Cheshire, Savoy, Hancock, and Windsor; the Pittsfield Division exercising concurrent jurisdiction in Windsor and Hancock. — *Justices,* Michael J. Ripps, Paul M. Vrabel. *Clerk-Magistrate,* Timothy J. Morey.

Pittsfield Division; Pittsfield, Hancock, Lanesborough, Peru, Hinsdale, Dalton, Washington, Richmond, Lenox, Becket and Windsor; the district court of southern Berkshire exercising concurrent jurisdiction in Lenox and Becket and the district court of northern Berkshire exercising concurrent jurisdiction in Windsor and Hancock. — *Justices,* (vacancy), Rita Scales Koenigs. *Clerk-Magistrate,* Thomas Bartini, *Acting.*

The District Courts at Lee and Great Barrington were consolidated into the Southern Berkshire District as a result of section 166 of Chapter 478 of the Acts of 1978 (Court Reorganization).

Southern Berkshire Division, held at Great Barrington; Sheffield, Great Barrington, Egremont, Alford, Mount Washington, Monterey, New Marlborough, Stockbridge, West Stockbridge, Sandisfield, Lee, Tyringham, Otis, Lenox and Becket; the Pittsfield Division exercising concurrent jurisdiction in Lenox and Becket. — *Justices,* James B. McElroy, Fredric D. Rutberg. *Clerk-Magistrate,* Thomas F. Bartini.

BRISTOL.

Taunton Division; Taunton, Rehoboth, Berkley, Dighton, Seekonk, Easton and Raynham. — *Justices,* Joseph I. Macy, James Sullivan. *Clerk-Magistrate,* Jody M. Menard-Parece, *Acting.*

Fall River Division; Fall River, Somerset, Swansea, Freetown and Westport; the New Bedford Division exercising concurrent jurisdiction in Freetown and Westport. — *Justices,* Bernadette L. Sabra, David T. Turcotte, Gilbert J. Nadeau, Jr. *Clerk-Magistrate,* John C. O'Neil.

New Bedford Division; New Bedford, Fairhaven, Acushnet, Dartmouth, Freetown and Westport; the Fall River Division exercising concurrent jurisdiction in Freetown and Westport. — *Justices,* Julie J. Bernard, Tobey S. Mooney, Ronald F. Moynahan, Julie J. Bernard. *Clerk-Magistrate,* Peter J. Thomas.

Attleboro Division; Attleboro, North Attleborough, Mansfield and Norton. — *Justices,* Thomas S. Barrett, Paul J. McCallum. *Clerk-Magistrate,* Mark E. Sturdy.

DUKES COUNTY.

Edgartown Division; Edgartown, Oak Bluffs and Tisbury; Dukes County. — *Justices,* John M. Julian, Therese M. Wright. *Clerk-Magistrate,* Liza H. Williamson.

ESSEX.

Salem Division; Salem, Beverly, Danvers, Middleton and Manchester-by-the-Sea. — *Justices,* D. Dunbar Livingston, Michael C. Lauranzo. *Clerk-Magistrate,* Brian K. Lawlor, *Acting.*

Ipswich Division; Ipswich, Hamilton, Topsfield and Wenham. — *Justices,* Robert A. Cornetta, Patricia A. Dowling. *Clerk-Magistrate,* Kathryn Morris Early, *Acting.*

Haverhill Division; Haverhill, Groveland, Georgetown, Boxford and West Newbury; the Newburyport Division exercising concurrent jurisdiction in West Newbury. — *Justices,* Allen G. Swan, Peter F. Doyle. *Clerk-Magistrate,* Doris A. Stanziani.

Gloucester Division; Gloucester, Rockport and Essex. — *Justices,* Robert A. Brennan, Ellen Flatley. *Clerk-Magistrate,* Brian K. Lawlor, *Acting.*

Lynn Division; Lynn, Swampscott, Saugus, Marblehead and Nahant. — *Justices,* Robert N. Tochka, Mary Dacey White. *Clerk-Magistrate,* Jane B. Stirgwolt.

Lawrence Division; Lawrence, Andover, North Andover and Methuen. — *Justices,* Mark A. Sullivan, Martine Carroll. *Clerk-Magistrate,* Keith McDonough.

Newburyport Division, held at Newburyport; Amesbury, Merrimac, Newbury, Newburyport, Rowley, Salisbury and West Newbury; the Central District Court of Northern Essex (Haverhill Division) exercising concurrent jurisdiction in West Newbury. — *Justices,* (vacancy). *Clerk-Magistrate,* Kathryn Morris Early.

Peabody Division; Peabody and Lynnfield. — *Justices,* Stacey J. Fortes-White, James L. LaMothe, Jr. *Clerk-Magistrate,* Kevin L. Finnegan.

FRANKLIN.

Greenfield Division, held at Greenfield and at Turners Falls in Montague; Franklin County, except Orange, Erving, Warwick, Wendell and New Salem. Sessions may also be held at Shelburne Falls in Shelburne and Buckland at such times and places as the justice of said court may determine. — *Justices,* William P. Hadley, William F. Mazanec, III. *Clerk-Magistrate,* Margaret E. Palmeri.

Orange Division; Orange, Erving, Warwick, Wendell and New Salem, *in the county of Franklin;* and Athol, *in the county of Worcester.* — *Justices,* (vacancy). *Clerk-Magistrate,* Laurie N. Dornig.

HAMPDEN.

Palmer Division; Palmer, Brimfield, Hampden, Ludlow, Monson, Holland, Wales and Wilbraham. — *Justices,* Laurie L. MacLeod. *Clerk-Magistrate,* Brian St. Onge.

Westfield Division; Westfield, Chester, Granville, Southwick, Russell, Blandford, Tolland and Montgomery. — *Justices,* Philip A. Contant, Patricia T. Poehler. *Clerk-Magistrate,* Carol J. Kantany-Casartello.

Chicopee Division; Chicopee. — *Justices,* Mary E. Hurley, David S. Ross, John M. Payne, Jr. *Clerk-Magistrate,* Paul M. Kozikowski.

Holyoke Division; Holyoke. — *Justices,* Bethzaida Sanabria-Vega. *Clerk-Magistrate,* Manuel A. Moutinho, III.

Springfield Division; Springfield, West Springfield, Agawam, Long-Meadow and East Longmeadow. — *Justices,* Nancy Dusek-Gomez, Mark. D. Mason, William J. Boyle, H. Gregory Williams, Robert A. Gordon. *Clerk-Magistrate,* Barbara Y. Burton, *Acting.*

HAMPSHIRE.

Northampton Division, held at Northampton; Amherst, Cummington, South Hadley, Huntington and Easthampton; Hampshire County, except Belchertown, Granby and Ware. — *Justices,* W. Michael Goggins, Jacklyn M. Connly. *Clerk-Magistrate,* Nancy Flavin, *Acting.*

Eastern Hampshire Division, held at Ware; Belchertown, Granby and Ware and any violation of law committed on land of the metropolitan district commission comprising the Quabbin reservation or used for the supply or protection of the Quabbin reservoir. — *Justices,* Paul A. Losapio, Maureen E. Walsh. *Clerk-Magistrate,* William P. Nagle, Jr.

MIDDLESEX.

Concord Division; Concord, Acton, Bedford, Carlisle, Lincoln, Maynard, Stow and Lexington. — *Justices,* James H. Wexler, Patricia G. Curtin. *Clerk-Magistrate,* Ann M. Colicchio.

Ayer Division; Ayer, Dunstable, Groton, Pepperell, Townsend, Ashby, Shirley, Westford, Littleton and Boxborough. — *Justices,* Peter J. Kilmartin, David W. Cunis. *Clerk-Magistrate,* Wendy A. Wilton.

Malden Division; Malden, Wakefield, Melrose and Everett. — *Justices,* Benjamin C. Barnes, Maurice R. Flynn III, Richard A. Mori, Geoffrey C. Packard. *Clerk-Magistrate,* Mary Beth Brady.

Waltham Division; Waltham, Watertown and Weston. — *Justices,* Gregory C. Flynn, David T. Donnelly. *Clerk-Magistrate,* Michael J. Finucane.

Cambridge Division; Cambridge, Arlington and Belmont. — *Justices,* Michele B. Hogan, Steven E. Thomas, Laurence D. Pierce, Severlin B. Singleton,III, Michael J. Pomarole. *Clerk-Magistrate,* Robert L. Moscow.

Woburn Division; Woburn, Winchester, Burlington, Wilmington, Stoneham, Reading and North Reading. — *Justices,* Tobin N. Harvey,. J. Elizabeth Cremens. *Clerk-Magistrate,* Kathleen M. McKeon.

Framingham Division; Framingham, Ashland, Holliston, Sudbury, Wayland and Hopkinton. — *Justices,* Robert V. Greco, Douglas W. Stoddart. *Clerk-Magistrate,* John A. DeLuca.

Lowell Division; Lowell, Tewksbury, Billerica, Dracut, Chelmsford and Tyngsborough. — *Justices,* Neil J. Walker, Barbara S. Pearson. *Clerk-Magistrate,* William A. Lisano.

Marlborough Division; Marlborough and Hudson. — *Justices,* Lynda M. Connolly, Mary H. Sullivan. *Clerk-Magistrate,* Paul Malloy.

Natick Division; Natick and Sherborn. — *Justices,* James H. McGuinness, Jr., Michael J. Brooks. *Clerk-Magistrate,* Brian J. Kearney.

Newton Division; Newton. — *Justices,* Dyanne J. Klein, Thomas M. Brennan. *Clerk-Magistrate,* Henry H. Shultz.

Somerville Division; Somerville and Medford. — *Justices,* Matthew J. Nestor, Mark S. Coven. *Clerk-Magistrate,* Robert A. Tomasone.

NANTUCKET.

Nantucket Division; Nantucket County. — *Justices,* W. James O'Neill, Deborah A. Dunn. *Clerk-Magistrate,* Liza H. Williamson, *Acting.*

NORFOLK.

Dedham Division; Dedham, Dover, Norwood, Westwood, Medfield, Needham and Wellesley. — *Justices,* Kevin J. Gaffney, Marianne C. Hinkle. *Clerk-Magistrate,* Salvatore Paterna.

Quincy Division; Quincy, Randolph, Braintree, Cohasset, Weymouth, Holbrook and Milton; and, in criminal cases, concurrently with the Hingham Division, that part of Scituate described in chapter three hundred and ninety-four of the acts of nineteen hundred and twelve. Arrests and service of process in such cases may be made by an officer qualified to serve criminal process in Cohasset. — *Justices,* Paul M. Yee, Beverly J. Cannone. *Clerk-Magistrate,* Arthur H. Tobin.

Stoughton Division; Stoughton, Canton, Avon and Sharon. — *Justices,* Andrew M. D'Angelo. *Clerk-Magistrate,* Robin E. Vaughan.

Wrentham Division; Franklin, Walpole, Foxborough, Medway, Millis, Norfolk, Wrentham and Plainville. — *Justices,* Stephen S. Abany, Daniel J. O'Shea. *Clerk-Magistrate,* Edward J. Doherty.

Brookline Division; Brookline. — *Justices,* Kevin J. O'Dea, James D. Barretto. *Clerk-Magistrate,* Brian K. Lawlor.

PLYMOUTH.

Hingham Division; Hingham, Rockland, Hull, Hanover, Scituate and Norwell. — *Justices,* Patrick J. Hurley, Francis L. Marini. *Clerk-Magistrate,* Joseph A. Ligotti.

Plymouth Division; Plymouth, Kingston, Plympton, Pembroke, Duxbury, Hanson, Halifax and Marshfield. — *Justices,* Rosemary B. Minehan. *Clerk-Magistrate,* Philip J. McCue, *Acting.*

Wareham Division, held at Middleborough and Wareham; Middleborough, Wareham, Lakeville, Marion, Mattapoisett, Rochester and Carver. — *Justices,* Diane E. Moriarty, Mary L. Amrhein. *Clerk-Magistrate,* Daryl G. Manchester.

Brockton Division; Brockton, Bridgewater, East Bridgewater, Whitman, Abington and West Bridgewater. Said court may adjourn to the Massachusetts correctional institution at Bridgewater, whenever the public convenience seems to the presiding justice to render such adjournment expedient. — *Justices,* Robert E. Baylor, Richard D. Savignano, Paul C. Dawley, Angel Kelly Brown. *Clerk-Magistrate,* Kevin P. Creedon.

SUFFOLK.

Brighton Division; ward twenty-five of Boston as it existed on February first, eighteen hundred and eighty-two. —

First Justice, David T. Donnelly. *Justices,* Tracy-Lee Lyons, David Weingarten. *Clerk-Magistrate,* James B. Roche III. *First Assistant Clerk-Magistrate,* Patricia McDermott.

Charlestown Division; wards three, four and five of Boston as they existed on February first, eighteen hundred and eighty-two, provided that in criminal matters said court shall have exclusive jurisdiction in that part of said wards which is under the care, custody and control of the lower basin division of the Metropolitan District Commission and in so much of the Charles river basin, as defined in section two of chapter five hundred and twenty-four of the acts of nineteen hundred and nine as affected by chapter two hundred and forty-five of the General Acts of nineteen hundred and sixteen as is within the district of said court. —

First Justice, Lawrence E. McCormick. *Justices,* James W. Coffey, David Poole. *Clerk-Magistrate,* John E. Whelan.

Dorchester Division; ward twenty-four of Boston as it existed on February first, eighteen hundred and eighty-two and the territory comprised within the limits of precinct twelve of ward thirteen of Boston as it existed on November second, nineteen hundred and forty-eight. —

First Justice, Rosalind H. Miller. *Justices,* Rosalind H. Miller, Emogene Johnson Smith, Robert Ronquillo, Jr., Pamela M. Dashiell. Clerk-Magistrate, Anthony S. Owens. *First Assistant Clerk-Magistrate,* Dennis F. Sullivan.

East Boston Division; Winthrop and wards one and two of Boston as they existed on March first, eighteen hundred and eighty-six; provided that said court shall have territorial jurisdiction in matters that arise in the Sumner tunnel, so-called, and Lieutenant William F. Callahan, Jr., tunnel including any property, toll plazas and approach roads thereto under the ownership, care, custody and control of the Massachusetts Turnpike Authority as provided by chapter five hundred and ninety-eight of the acts of nineteen hundred and fifty-eight. —

First Justice, Robert Ronquillo, Jr., *Justices,* Kenneth Desmond, Kenneth Fiandaca. *Clerk-Magistrate,* Joseph R. Faretra.

Roxbury Division; wards nineteen, twenty, twenty-one and twenty-two of Boston as they existed on February first, eighteen hundred and eighty-two, excepting ward ten, save as hereinafter provided, as it existed on February first, nineteen hundred and seventy-six; and excepting further, cases of juvenile offenders under seventeen and cases of delinquent children when such cases arise in wards four, five, and precincts one and two of ward twenty-one of Boston as they existed on February first, nineteen hundred and seventy-six; provided however that, notwithstanding any other provision of law, said court shall have jurisdiction over matters arising in precincts one, six and seven of ward ten. —

First Justice, David Weingarten. *Justices,* Paul L. McGill, Gregory L. Phillips, Edward R. Redd, Michael C. Bolden, Shannon Frison, *Clerk-Magistrate,* Michael W. Neighbors.

South Boston Division; wards thirteen, fourteen and fifteen of Boston as they existed on February first, eighteen hundred and eighty-two. —

First Justice, Michael C. Bolden. *Justices,* Mary Ann Driscoll, Robert McKenna. *Clerk-Magistrate,* Margaret F. Albertson, Esq.

West Roxbury Division; ward twenty-three of Boston as it existed on February first, eighteen hundred and eighty-two, and the territory comprised within the limits of the former town of Hyde Park which was annexed to Boston by chapters four hundred and sixty-nine and five hundred and eighty-three of the acts of nineteen hundred and eleven, and ward ten, except precincts one, six and seven of said ward ten, as existing on February first, nineteen hundred and seventy-six; and excepting further, cases of juvenile offenders under seventeen and cases of delinquent children when such cases arise in said ward ten. —

First Justice, Kathleen E. Coffey. *Justices,* Robert Ziemian, John A. Canavan, III, *Clerk-Magistrate,* Richard L. Walsh.

WORCESTER.

Worcester Division; Worcester, Millbury, Auburn, Paxton, West Boylston, Holden, Rutland, Barre and Oakham. — *Justices,* David P. Despotopulos, Janet J. McGuiggan, Michael G. Allard-Madaus. *Clerk-Magistrate,* Thomas J. Noonan.

Gardner Division; Gardner, Petersham, Phillipston, Royalston, Templeton, Hubbardston and Westminster. — *Justices,* Austin T. Philbin, David B. Locke. *Clerk-Magistrate,* Whitney J. Brown.

Westborough Division; Westborough, Grafton, Shrewsbury, Southborough and Northborough. — *Justices,* Robert B. Calagione. *Clerk-Magistrate,* Maryann M. Pozzessere.

Clinton Division; Clinton, Berlin, Bolton, Boylston, Harvard, Lancaster and Sterling. — *Justices,* Martha A. Scannell Brennan, Robert W. Gardner, Jr. *Clerk-Magistrate,* Leonard F. Tomaiolo.

Dudley Division; Southbridge, Webster, Sturbridge, Charlton, Dudley and Oxford. — *Justices,* Arthur F. Haley, III, Margaret R. Guzman. *Clerk-Magistrate,* Kenneth F. Candito.

Uxbridge Division; Blackstone, Uxbridge, Douglas, Northbridge, Millville and Sutton. — *Justices,* (Vacancy), (Vacancy). *Clerk-Magistrate,* Gerald A. Lemire.

Milford Division; Milford, Mendon, Upton, Hopedale, *in the county of Worcester;* and Bellingham, *in the county of Norfolk.* — *Justices,* Mary A. Orfanello, Brian F. Gilligan. *Clerk-Magistrate,* Thomas C. Carrigan.

East Brookfield Division; East Brookfield, Brookfield, Leicester, Spencer, North Brookfield, West Brookfield, Warren, Hardwick and New Braintree. Said court may adjourn to any town within its district other than East Brookfield whenever the public convenience seems to the presiding justice to render such adjournment expedient. — *Justices,* Paul F. LoConto, Timothy M. Bibaud. *Clerk-Magistrate,* Elizabeth M. Maunsell.

Fitchburg Division; Fitchburg, Ashburnham and Lunenburg. — *Justices,* Andrew L. Mandell, Elliott L. Zide. *Clerk-Magistrate,* Patrick J. Malone.

Leominster Division; Leominster and Princeton. — *Justices,* Mark E. Noonan. *Clerk-Magistrate,* Philip B. O'Toole.

Winchendon Division; Winchendon. — *Justices,* Vito A. Virzi, (vacancy). *Clerk-Magistrate,* Daniel F. Langelier.

CIRCUIT JUSTICES.

Philip A. Beattie; Brian R. Merrick; Sarah B. Singer; Timothy H. Gailey; James F. X. Dineen; Roanne Sragow; Michael C. Creedon; Stephen S. Ostrach; Joseph W. Jennings III; Albert S. Conlon; Lee G. Johnson; Robert G. Harbour; James J. McGovern; Dominic J. Paratore; Lynn C. Rooney; Sabita Singh; Michael A. Uhlarik; Robert A. Welsh, III; Franco J. Gebeurne; Antoinette E. M. Leoney; Debra Shopteese; Michael E. Mulcahy; Kevin J. Finnerty.

APPELLATE DIVISIONS OF THE DISTRICT COURT DEPARTMENT.

[General Laws, Chapter 231, s. 108, as most recently amended by Acts of 1975, Chapter 377, ss. 106-107B]

Five justices assigned to each of the three Districts by the Chief Justice of the District Courts, subject to the approval of the Chief Justice of the Supreme Judicial Court:

Northern District — Presiding Justice: Hon. Robert V. Greco (Framingham), *Circuit Justice:* Sabita Singh. *Associate Justices:* Hon. Mark S. Coven, (Quincy); Hon. Laurence D. Pierce (Lowell); Hon. Allen G. Swan (Ipswich).

Southern District — Presiding Justice: Hon. H. Gregory Williams (Edgartown), *Circuit Justices:* Hon. Brian R. Merrick., Hon. Stephen S. Ostrach.. *Assoicate Justices:* Hon. Kathryn E. Hand (Barnstable); Hon. Daniel J. O'Shea (Attleboro).

Western District — Presiding Justice: Hon. Martha A. Scannell-Brennan (Clinton), *Assoicate Justices:* Hon. Robert W. Gardner, Jr. (Clinton); Hon. William P. Hadley (Greenfield); Hon. Laurie MacLeod (Palmer); Hon. Mark E. Noonan (Leominster).

BOSTON MUNICIPAL COURT DEPARTMENT OF THE TRIAL COURT.

[General Laws, Chapter 218 Section 1.]

Chief Justice, Charles R. Johnson.

Court Administrator, Cheryl A. Sibley, Esq.

Central Division; held at Boston; wards six, seven, eight, nine, ten, eleven, twelve, sixteen, seventeen and eighteen of Boston as they existed on February first, eighteen hundred and eighty-two; and in criminal cases, concurrently with the Roxbury and Brighton divisions of the Boston municipal court department, the second and third district courts of eastern Middlesex and the district court of Newton, respectively, so much of the Charles river basin, as defined in section two of chapter five hundred and twenty-four of the acts of nineteen hundred and nine, as affected by chapter two hundred and forty-five of the General Acts of nineteen hundred and sixteen, as is within the districts of said courts. —

First Justice, Raymond G. Dougan, Jr. *Justices,* Charles R. Johnson, Sally A. Kelly, Raymond G. Dougan, Jr., Mark Hart Summerville, Patricia E. Bernstein, Annette Forde, Thomas C. Horgan, Michael J. Coyne, Eleanor Coe Sinnott, Lawrence E. McCormick, Ernest L. Sarason, Jr. *Clerk-Magistrate,* Daniel J. Hogan. *First Assistant Clerk-Magistrate,* Rosemary T. Carr.

APPELLATE DIVISION.

(All Justices sit on Appellate Division.)

JUVENILE COURT DEPARTMENT OF THE TRIAL COURT.

[General Laws, Chapter 211B, §1.]

Chief Justice, Michael F. Edgerton. *Court Administrator,* Jane Strickland.
3 Center Plaza, 7th Floor, Boston.

BARNSTABLE COUNTY/TOWN OF PLYMOUTH JUVENILE COURT.

First Justice, James J. Torney. *Clerk-Magistrate,* Charles P. Andrade, Jr. *Chief Probation Officer,* John P. Millet.

BERKSHIRE COUNTY DIVISION, JUVENILE COURT.

First Justice, Daniel J. Swords. *Clerk-Magistrate,* Laura Rueli. *Chief Probation Officer,* William D. Gale.

BRISTOL COUNTY DIVISION, JUVENILE COURT.

First Justice, Hon. Bettina Borders. *Associate Justices,* Lawrence Moniz, John Spinale. *Clerk-Magistrate,* Ronald C. Arruda. *Chief Probation Officer,* Kevin Martin.

ESSEX COUNTY DIVISION, JUVENILE COURT.

First Justice, Sally F. Padden. *Associate Justices,* Michael F. Edgerton*, Mark Newman, Jose Sanchez. *Clerk-Magistrate,* Judith M. Brennan. *Chief Probation Officer,* Daniel Passacantilli.

FRANKLIN/HAMPSHIRE COUNTY DIVISION, JUVENILE COURT.

First Justice, Lillian Miranda. *Clerk-Magistrate,* Christopher D. Reavey. *Acting Chief Probation Officer,* Peter J. Kotch, Jr.

HAMPDEN COUNTY DIVISION, JUVENILE COURT.

Presiding Justice, Daniel J. Swords. *Associate Justices,* Charles Belsky, Lois M. Eaton. *Clerk-Magistrate,* Donald Whitney. *Acting Chief Probation Officer,* Danny Baez.

MIDDLESEX COUNTY DIVISION, JUVENILE COURT.

First Justice, Jay D. Blitzman. *Associate Justices,* Margaret S. Fearey, Patricia Flynn, Kenneth King, Amy L. Nechtem, Gwendolyn R. Tyre. *Clerk-Magistrate,* Paul J. Hartnett. *Acting Chief Probation Officer,* Daniel J. Passacantilli.

NORFOLK COUNTY DIVISION, JUVENILE COURT.

First Justice, Mary M. McCallum. *Associate Justice,* Leslie A. Donahue. *Acting Clerk-Magistrate,* Robert L. Ryan. *Chief Probation Officer,* Thomas J. Mitchell.

PLYMOUTH COUNTY DIVISION, JUVENILE COURT.

First Justice, John P. Corbett. *Associate Justice,* Dana M. Gershengorn, Robert F. Murray. *Acting Clerk-Magistrate,* Nancy A. Roderick. *Chief Probation Officer,* Joel F. West.

SUFFOLK COUNTY DIVISION, JUVENILE COURT.

First Justice, Paul D. Lewis. *Associate Justices,* Terry M. Craven, Marjory A. C. German, Leslie E. Harris, Stephen M. Limon, James J. Torney**. *Clerk-Magistrate,* Donna M. Ciampoli. *Chief Probation Officer,* Steven Siciliano.

WORCESTER COUNTY DIVISION, JUVENILE COURT.

First Justice, Carol Erskine. *Associate Justices,* Mary Beth Keating, George F. Leary, Deborah A.S. Capuano. *Clerk-Magistrate,* Craig D. Smith. *Chief Probation Officer,* Francyne LeFemine.

JUVENILE COURT CIRCUIT JUSTICES.

EASTERN REGION

Justices: Carol A. Erskine***, Joseph F. Johnston, Kathryn A. White.

WESTERN REGION

Justices: James G. Collins, Patricia M. Dunbar, Judith Locke.

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* presently serves as Chief Justice of the Juvenile Court

** presently serves as First Justice, Barnstable County Division

*** presently serves as First Justice, Worcester County Division

DISTRICT ATTORNEYS.

NORTHERN DISTRICT (Middlesex County) — *District Attorney:* Gerard T. Leone, Jr., *Chief Trial Counsel & Chief of Homicide:* Michael Fabbri, *Chief Legal Counsel:* Lorena Lillios, *Senior Homicide Advisor:* John McEvoy, *General Counsel:* Marian Ryan, *Director Of Communications:* Jessica Pastore, *Chief of Victim Witness Services:* Patrice Provitola, *Director of Training and Professional Development:* Patricia Gould, *Director of Human Resources:* Melissa Diorio; *Assistant District Attorneys:* Nicole Allain, Julia Andrus, Jennifer Bahnson, Melissa Baima, Christopher Baker, Fawn Balliro Andersen, Justine Bavaro, Darina Belar, Robert Bender, Deborah Bercovitch, Susanne Bines, Jeffrey Bourgeois, Katherine Briggs, Allison Brown, Clarence Brown, Doug Cannon, Alice Casey, Sean Casey, Tasnin Chowdhury, Kale Cimini, David Clayton, Kerry Collins, Cailiin Condon, Martha Coravos, James Corrmer, Kevin Curlin, Rourke Donnelly, Brian Doxtader, Katelyn Draper, Elizabeth Dunigan, Denise Duran, Kristyn Dusel, Sarah Ellis, Craig Estes, Anna Evans, Sarah Fallon, Patrick Fitzgerald, Katharine Folger, Lisa Fuccione, Joseph Gentile, Stephen Gilpayric, Heidi Gosule, Marguerite Grant, Michael Grant, Sean Griffin, Jennifer Handel, Daniel Harren, Steve Hoctor, Jessica Hogan, Melissa Johnsen, Michael Kaneb, Elizabelh Keeley, KerryAnne Kilcoyne, Kate Kleimola, Suzanne Kantz, Cara Krysil, Samantha Kurkjy, Gina Kwon, Brook Lane, Sandra Langlais, Warren Lee, Jay Livingstone, Sieve Loughlin, Christina Lucci, Adrienne Lynch, Cc,ara Mhoney, Lisa McGovern, Kim McKenn, Sieve McKenna, Christopher McMahon, Tejal Mehta, Laura Miller, Christopher Minue, Usa Monanan, James Mulcahy, Douglas Nagengast, Jessica Noble, Kristen Palmieri, Thomas O'Reilly, Chanda Ouk, Joseph Palazzo, Lila Palmer, Anne Paruti, Margaret Pastuszak, Rachel Periman, Anne Pogue, Nina Pomponio, Robyn Pontremoli, Amanda Rowan, David Rubin, Kimberly Ruga, James Sahakian, Jonathan Sahrbeck, Corey Santos, Jeffrey Shapiro, Elizabeth Silverman, Casey Silvia, Jennifer Snook, Hallie Speight, Carrie Spiros, Dannon Stacer, Bethany Stevens, Felicia Sullivan, Ryan Sullivan, Marisa Tagliareni, Alison Takacs, Christopher Tarrant, Melinda Thompson, Elissa Torlo, Sheila Tracey, John Verner, Jodi Walker, Alexandra Watson, Megan Williams, Elisha Willis, Onyen Yong, Theresa Young, Samir Zaganjori.

EASTERN DISTRICT (Essex County) — *District Attorney,* Jonathan W. Blodgett, Peabody. *First Assistant,* John T. Dawley, Winchester. *Chief, Administration and Finance,* Maureen Colby, Magnolia. *Special Counsel,* Thoams M. Donovan, Topsfield. *Deputy*

First Assistant, Mary-Alice Doyle, Georgetown. *Director, Family Crimes and Sexual Assault Unit,* Kate MacDougall, Salem. *Executive Director, Victim/Witness Program,* Cheryl Watson, Middleton. *Director, Juvenile Justice Program,* Ruth Budelmann, Beverly. *Administrative Assistant Trial List, Felonies,* Michelle Merullo, Peabody. *Superior Court Supervisor,* Gerald Shea, Newburyport. *Assistants:* Rachel Alexander Healey, Merrimac; John Brennan, Wenham; Kristen Buxton, Ipswich; Andrew Camelio, Somerville; Jean Curran, Ipswich; Jana DiNatale, Methuen; Kimberly Faitella, Georgetown; Greg Friedholm, Boston; James Gubitose, Peabody; Karen Hopwood, Hampton Falls, NH; Jennifer Kirshenbaum, Brookline; Maureen Leal, Pelham, NH; Francis MacDonald, Winthrop; William Melkonian, Winchester; Margaret Morrissey, Winchester; George Newman, Watertown; Michael Patten, Gloucester; Christina Ronan, Winchester; Michael Sheehan, Lynnfield; Marcia Slingerland, Beverly; Jessica Strasnick, Haverhill; Melissa Woodard, Wellesley. *Chief, Appeals Division,* Elin Graydon, Chestnut Hill. *Assistants:* Kenneth Bresler, Newton; Ronald DeRosa, Chelmsford; David O'Sullivan, Salem; Catherine Semel, Wakefield; Kenneth Steinfield, Salem.

NORFOLK DISTRICT (Norfolk County) — William R. Keating, Sharon. *First Assistant District Attorney:* Jeanmarie Carroll. *Deputy District Attorney,* Jonathan C. Rutley. *Assistants:* Pamela Alford; Michelle M. Armour; Lisa Beatty; Lynn Beland; Danielle Bertoni; Jennifer Blair; Catherine Cappelli; Thomas J. Cavanagh; Michael C. Connolly; Gregory P. Connor; Sabine Coyne; Tracey A. Cusick; Aboott S. Fenichel; Farah J. Ferris; Thomas L. Finigan; Siobhan Foley; Kevin Freytag; Matthew H. Friedel; Tania Gad; Michael F. Gaffney; Kevin Gaughen; John Healey; Carolyn Hely; Kathryn Nedelman Herbst; Daniel Kaye; Brian Kelley; Megan Kennedy; Craig Kowalski; Margaret Krippendorf; Varsha Kukafka;Michael Kurkjian; Adam Lally; Cam Le; Trisha Lee; E. David Levy; Courtney Linnehan; Michael Markoff; Keith McCray; Matthew McDonough; Erin McIntyre; Jason Mohan; Erin Murphy; Robert Nelson; Emily Nesson; David Omiunu; George Papachristos; Debra Payton; Dian Piette; David Ringius; Bethany Rogers; Danielle Ross; Jennifer Rowe; Paul P. Sullivan; Lea Tatelman; Alexei Tymoczko; Elizabeth Walston; kate E. Welch; Brian W. Wilson..

CAPE AND ISLANDS DISTRICT (Barnstable, Dukes and Nantucket Counties) — *District Attorney:* Michael D. O'Keefe, Sandwich. *First Assistants:* Brian S. Glenny, Yarmouth Port; Michael A. Trudeau, West Harwich; *Second Assistant:* Sharon Thibeault, Marshfield; *Chief of Operations:* Thomas G. Shack, Cummaquid; *Chief*

Appellate Attorney, Julia K. Holler, Marstons Mills; *Chief Domestic Violence Prosecutor:* Lisa Edmonds, Falmouth; *Superior Court Assistant District Attorneys:* Nicole Manoog, Centerville; Tara Miltimore, Orleans; *Chief District Court Prosecutor:* Matthew Kelley, Harwich Port; *District Court Assistant District Attorneys:* Jennifer M. Bright, West Barnstable; Michael Donovan, West Yarmouth; Michelle Groff, Chatham; Genevieve Henrique, East Falmouth; Joseph P. Kennedy, West Hyannis Port; Kristy Lavigne, Sagamore Beach; Robert D. Moriarty, Centerville; Michael Patterson, West Yarmouth; Kerry A. Whalen, Hyannis, Daniel Higgins, Dennis; Jessica M. Croker, West Yarmouth; Benjamin L. Hirshfield, Barnstable; *Assistant District Attorney for Dukes County,* Laura Marshard, West Tisbury; *Chief Juvenile Court Prosecutor,* Eileen Connors Moriarty, Centerville; *Victim/Witness Assistance Program Director:* Susan O'Leary, Barnstable.

BRISTOL DISTRICT (Bristol County) — C. Samuel Sutter. *First Assistants:* William McCauley; Thomas M. Quinn. *Second Assistants:* Paul Machado; Silvia Budman. *Assistant District Attorneys:* Mark Boivin; Cynthia Brackett; William Brownell; Diane Bunk; Stephen Butts, Ken Clark; Dennis Collins; William Connolly; Katie Cook; Kelly Costa; Derek Coyne; John Dean; Robert DiGiantomaso; Mark Donovan; Rachel Eisenhaure; Bill Farias; John Flor; Maryclare Flynn; William Flynn; Brian Foley; Garrett Fregault; Steven Gagne; David Gold; Jennifer Gonzalez; M. Jackson Jones; Robert Kidd; Kelly Kuchera; Lesly Leahy; Jessica Lennon; Cindy Letourneau; Tracy Little; David Mark; John McElroy; James McKenna; Mimi McMahon; Carolyn Morrissette; Stephen Nadeau; Elizabeth Pereira; TJ Rebello; Carla Sauvignon; Richard Slowe; Casey Smith; Craig Souza; Kristen Spooner; Jennifer St. Laurent-Sowa; Jack Stapleton; Shoshana Stern; Aaron Strojny; Matthew Sylvia; Jennifer Thompson; Gregory Tinsworth; Amy Valente; Ray eary; Daniel Walsh; Amelia Wilson; Car Woodworth; Brian Zuanich.

MIDDLE DISTRICT (Worcester County) — Joseph D. Early, Jr., Worcester. *Senior First Assistant District Attorney:* Daniel J. Bennett. *First Assistant District Attorneyand Supervisor, Domestic Violence Unit:* Edward N. Karcasinas, Jr. *Paralegal to the District Attorney:* Jennifer M. Nadeau. *Executive Administrator:* Elizabeth A. Noonan Stammo. *Chief Trial Counsel:* Thomas E. Landry. *Director, Appeals Unit:* Jane A. Sullivan. *Director, Juvenile Court Division:* Donald G. Xenos, II. *Director, CDC and Six-Person Jury:* Marc W. Dupuis. *Director of Communications:* Timothy J. Connolly. *Director, Victim/Witness Services:* Margaret B. Rwaramba. *Director of County Courts:* Jon S.

Hartmere. *Supervisor, Drug Unit:* Paul F. Bolton. *Supervisor Sexual Assault/Child Abuse Unit:* Maura K. McCarthy. *Supervisor, Administrative Staff:* Christine A. Valery. *Fiscal Administrators:* Elisabeth A. Dacri, Sheila A. Hamilton. *Assistant District Attorneys:* Michael A. Avis, Ian M. Bennie, Gregory P. Benoit, Christienne K. Bik, Elizabeth A. Brennan, William W. Butler, Angelo A. Calagione, Stephen J. Carley, Lisa Casella, Jillian N. Celozzi, Brian M. D'Andrea, Nadia A. Darkazalli, Gina M. DiBaro, Brett F. Dillon, Ryan P. Donahue, Erin E. Donnelly, Timothy M. Farrell, David P. Feraco, Kanchanna Fernando, Patricia Flannery, Paula J. Frasso, Laura N. Gilmartin, Francis X. Gribbons, Daniel J. Guerra, Donna Marie Haran, Sandra L. Hautanen, paul F. Healy, Christopher P. Hodgens, Daniella Isildakli, Harold E. Johnson, Michelle Lavigne Joubert, Jennifer s. Karlin, Anne S. Kennedy, John F. Kennedy, Michelle R. King, Jason L. Lemieux, Margaret J. Lesure, William E. Loughlin, Glenn A. Ludwig, Michael J. Luzzo, Anthony J. Marotta, Michael D. McHugh, Terry J. McLaughlin, Anthony H. Melia, Ellyn H. Lazar Moore, Joseph T. Moriarty, Jr., Matthew J. Mullaney, Lawrence J. Murphy, Mark J. Murphy, Matthew J. Nugent, John J. O'Brien, Jr., Roberta A. O'Brien, Susan M. Oftring, John A. O'Leary, Robert J. Pellegrini, Jennifer Romeo-Porcaro, Courtney F. Price, Joseph A. Quinlan, Terrence M. Reidy, Joseph J. Reilly, III, Julieanne Richard, Sarah B. Richardson, Cheryl R. Riddle, Michael G. Salloum, Kristin L. Salvatore, Courtney L. Sans, Scarlett A. Scannell, Martha J. Sesnovich, Robert T. Shea, Joseph A. Simmons, Kassia E. Smith, Patricia C. Smith, Jeffrey T. Travers, Cesar A. Vega, Krista L. Wallace, Lisa Jean Wells, Timothy A. Westerman.

HAMPDEN DISTRICT (Hampden County) — *District Attorney,* Mark G. Mastroianni, Westfield. *First Assistant,* James C. Orenstein, Longmeadow. *Superior Court Assistant District Attorneys:* Ellen Berger, Northampton; Donna Donato, Springfield; Melissa Doran, Haydenville; Elizabeth Dunphy Farris, Longmeadow; James Forsyth, Wilbraham ; Dave Gagne, East Longmeadow; James Goodhines, Longmeadow ; Mary Hiser, Longmeadow; Richard Morse , Amherst; Jane Mulqueen, South Hadley; Joan O'Brien, Westfield; Patrick Sabbs, South Hadley; Howard Safford, Feeding Hills; Eileen Sears, Holyoke; Matthew Shea, Longmeadow; Karen Southerland, East Longmeadow; Eduardo Velazquez, Rutland; Maida Wassermann, Westfield; Anne Yereniuk, Northampton. *Appellate Division Assistant District Attorneys:* Deborah Ahlstrom, Windsor, Ct; Dianne Dillon, Springfield; Marcia Julian, Wilbraham; Bethany Lynch, West Springfield; Katherine McMahon, Holyoke; Jane Montori, Longmeadow; Katherine Robertson, Conway. *District Court Assistant District Attorneys:* Marie Angers, Southampton;

Karen Bell, Ludlow; Maximilian Bennett, Springfield; John Bryson, West Springfield; Frederick Burns, Westfield; James Channing, Springfield; Timothy Chretien, Enfield, Ct.; Neal Desroches, South Hadley; Joan Dietz, Holyoke; Jennifer Fitzgerald, Longmeadow; Ingrid Frau, Chicopee; Curtis Frick, Longmeadow; Anthony Gulluni, Springfield; Jack Jerzyk, Granby; David Lemasa, South Windsor, Ct.; Margaret Moriarty Martin, Chicopee; Karen McCarthy, Longmeadow; Samuel Medina, Amherst; Magali Montes, Springfield; Jill O'Connor, East Longmeadow; Lori Odierna, Longmeadow; Mary Partyka, Chicopee; Sarah Pascale, Springfield; Cindy Payne, Agawam; James Roux, East Longmeadow; Shelly Sankar, Springfield; Cary Szafranski, West Springfield; Grace Taylor, Springfield; Stuart Weissman, Longmeadow; Alyson Yorlano, Westfield.

NORTHWESTERN DISTRICT (Hampshire and Franklin Counties; Town of Athol in Worcester County) — *District Attorney,* David E. Sullivan, Easthampton. *Deputy District Attorney,* Janice A. Healy, Conway. *First Assistant District Attorney,* Steven E. Gagne, Fairhaven. *Assistant District Attorneys:* Jeffrey Bengtson, Greenfield; Kristen Brandt, Norwood; Jeremy Bucci, Brookline; Joella Fortier, Belchertown; Steven Greenbaum, Westhampton; Beth Ann Lux,, Erving; Benjamin P. Mann, Springfield; Michael McHale, Amherst; Robert Opsitnick, Chicopee; Jayme Parent, Florence; Cynthia M. Pepyne, Hatfield; Yvonne G. Pesce, Holyoke; Linda Pisano, Amherst; Scott P. Rathbun, Leverett; Caitlyn Rock, Sunderland; Michael Russo, Longmeadow; Janine M. Simonian, Williamsburg; Stephen J Sloan,.Holyoke; Rosemary Tarantino, Haydenville; Matthew Thomas, Northampton; Thomas Townsend, Longmeadow.

BERKSHIRE DISTRICT (Berkshire County) — *District Attorney,* David F. Capeless, West Stockbridge. *First Assistant,* Paul J. Caccaviello, Dalton. *Second Assistant,* Robert W. Kinzer, III, Pittsfield. *Assistants:* Gregory M. Barry, Pittsfield; Gregory A. Bartlett, Adams; John P. Bosse, Pittsfield; Karen Carlo, Pittsfield; Mary-Elizabeth Dupelle Mack, Pittsfield; Rachael T. Eramo, Lanesborough; Jedd Hall, Lenoxdale; Kelly M. Kemp, North Adams; Richard M. Locke, Pittsfield; Jeffrey P. Morgan, Pittsfield; Dana A. Parsons, Pittsfield; Joseph A. Pieropan, Pittsfield; Marianne Shelvey, Pittsfield; Joseph M. Yorlano, Pittsfield.

PLYMOUTH DISTRICT (Plymouth County) — *District Attorney,* Timothy J. Cruz, Marshfield. *Chief Legal Counsel,* Michael J. Horan. *First Assistant,* Frank J. Middleton, Jr., *Deputy First Assistant,* John E. Bradley, Jr. *Assistant District Attorneys:* Daniel Alexander; Lewis A.

Armistead, Jr.; David Belger; Heather Bradley; Carolyn Burbine; Courtney J. Cahill; Tara M. Cappola; Kimberly Cronin; Christopher J. Davidson; Sharon Donatelle; Eric Drury; E. Russell Eonas; Thomas J. Flanagan, Jr.; Kristin Freeman; Keith Garland; Stacy L, Gauthier; Joshua Gedraitis; Matthew W. Green; Catherine H. Ham; Jessica L. Healy; Joseph Higgins, III; Julia Holliday; Daniel J. Hourihan; Douglas Humphrey; Barbara J. Isola; Audrey Anderson Kachour; Jessica Katz; Keara A. Kelley; Timothy R. Kenny; Christine M. Kiggen; Jeremy Beth Kusmin; Mary Lee; Matthew Libby; Richard F. Linehan; Peter W. Maguire; Megan Mahoney-Palmer; Suzanne M. McDonough; Gail McKenna; Bridget Norton Middleton; Mary Nguyen; Karen O'Sullivan; Mary O'Sullivan-Smith; Frank Ribeiro; Donna M. Riordan; Michael F. Sheehan; Nancy Shine; Timothy A. Shyne; Shelby M. Smith; Jennifer L. Sprague; Kristen A. Stone; David R. Tedeschi; Robert C. Thompson; Laurie S. Yeshulas; Canan Yesilcimen; Alexander Zane.

SUFFOLK DISTRICT (Suffolk County) — Daniel F. Conley, Boston. *Assistant District Attorneys:* Rilwan Adeduntan; Teresa Anderson; Troy Anderson; Maryrose Anthes-Weitz; Charles Bartoloni; Larry Bates; Edward Beagan; Erik Bennett; Lauren Bernath; Kristen Bonavita; David Bradley; Nicholas Brandt; Holly Broadbent; Melissa Brooks; Tara Burdman; Allison Callahan; Michael Callahan; Evandro Carvalho; Kathleen Celio; Kate Clayman; Kevin Cloutier; Christina Corda; Nicole Cordeiro; Rebecca Corke; Thomas Costello; Brendan Cox; Kristina Crawford; Edward Curley; David Deakin; Vincent DeMore III; Patrick Devlin; Michael DiStefano; Joseph Ditkoff; Ellen Mary Donahue; Caren Donovan; Matthew Feeney; Lynn Feigenbaum; Michelle Fleming; Brenna Flynn; Adam Foss; Kris Foster; David Fredette; Amy Galatis; Rebecca Geehr; Benjamin Goldberger; Alissa Goldhaber; Luke Goldworm; Michele Granda; Patrick Haggan; Mark Hallal; Montez Haywood; Gregory Henning; Christopher Henry; Jennifer Hickman; Julie Higgins; Zachary Hillman; Kathryn Hinman; Abigail Holland; Barrett Hyde; Craig Iannini; Joseph Janezic; Darcy Jordan; Leora Joseph; Anna Kalluri; Michelle Kalowski; Elizabeth Keeley; Masai-Maliek King; Meghan King; Mindy Klenoff; Andrius Knasas; Byron Knight; Ursula Knight; Esther Laine; Mark Lee; Macy Lee; Ellen Lemire; Paul Linn; Spencer Lord; Gretchen Lundgren; Judith Lyons; Craig MacLellan; Katherine Martino; Mario Mazzone; David McGowan; Christopher Meade; Benjamin Megrian; Cameron Merrill; Christina Miller; Ryan Mingo; Stacie Moeser; Laura Montgomery; Gloriann Moroney Long; Daniel Mulhern; Patrick Mulligan; Migdalia Nalls; Janis Noble; Philip O'Brien; Gerald Ogus; Jennifer OKeeffe; Megan O'Rourke; Joseph Pagliarulo; John Pappas; LaKeshia Parker; Peter Pasciucco; Marjorie Pauleon Tynes; Gabriel Pell; Lauren

Petrigno; Dana Pierce; Tonya Platt; Ian Polumbaum; Linda Poulos; Katherine Powell; Elle Rackemann; Erika Reis; Elizabeth Riley; Nicole Rimar; Darcy Robertson; Helle Sachse; Kevin Santos; Gretchen Sherwood; Sarah Stancato; Gerald Stewart; Susan Terrey; Paul Treseler; Jonathan Tynes; Christine Walsh; Nicholas Walsh; Su-Lynn Walton; Brooke Watson; Lindsey Weinstein; Barbara Young; Christian Young; Edmond Zabin; Amy Zacharias; Mark Zanini; John Zanini.

LIST OF THE

EXECUTIVE AND LEGISLATIVE DEPARTMENTS

OF THE

GOVERNMENT

OF

The Commonwealth of Massachusetts

AND OFFICERS IMMEDIATELY CONNECTED THEREWITH WITH PLACES OF RESIDENCE

2011–2012

EXECUTIVE DEPARTMENT

GOVERNOR,

His Excellency, Deval Patrick *(D)*
of Milton.

LIEUTENANT-GOVERNOR.

His Honor, Timothy P. Murray *(D)*
of Worcester.

District — Council.

I. — Charles Cipollini *(R)* of Fall River.
II. — Kelly A. Timilty *(D)* of Boston.
III. — Marilyn Petitto Devaney *(D)* of Watertown.
IV. — Christopher A. Iannella, Jr. *(D)* of Boston.
V. — Mary-Ellen Manning *(D)* of Salem.
VI. — Terrence Kennedy *(D)* of Lynnfield.
VII. — Jennie Caissie *(R)* of Oxford.
VIII. — Thomas P. Merrigan *(D)* of Greenfield.

Governor's Senior Staff

William "Mo" Cowan	*Chief of Staff*
Sydney Asbury	*Deputy Chief of Staff, & Political Director*
Katie Joyce	*Chief of Staff Lt. Governor*
Ken Brown	*Senior Advisor for Special Projects*
Kate Cook	*Director of Cabinet Affairs*
Mark A. Reilly	*Chief Legal Counsel*
Brendan Ryan	*Director of Communications & Planning*
Ron Bell	*Senior Advisor for Community Affairs*
Rosemary Powers	*Director of Government Affairs*
Jewel James	*Director of Federal State Relations*

Military Establishment

His Excellency, DEVAL PATRICK, Commander-in-Chief.

Military Division
State Staff

MG Joseph C. Carter, *The Adjutant General*	Oaks Bluffs
BG Thomas J. Sellars, *Assistant Adjutant General*	Randolph,
COL Gary W. Keefe, *Assistant Adjustant General-Air*	Florence
COL (Ret) Raymond Murphy, *Assistant Adjutant General-Army*	Burlington
COL (Ret) Mark Murray, *State Quartermaster*	West Boylston
COL (Ret) Christopher Henes, *Deputy State Judge Advocate*	Westwood
COL Alexandra L. Accardi, *State Surgeon*	South Easton
Mr. Timothy F. Cullen, *General Counsel & Legislative Liaison*	Milton
Mr. Joseph Wolfgang, *CFO & Director Admin & Finance*	Andover
Chief Walter F. Stecchi, *MMR Fire Dept.*	Mashpee

Commanders, Massachusetts Army National Guard

Land Component Commander, MA ARNG:	
BG Thomas J. Sellars	Randolph
Assistant Adjutant General-Army:	
BG Paul Smith	Ashburnham, MA
Chief of Staff, JFHQ & MA ARNG:	
COL Francis B. Magurn	Littleton, MA

79th Troop Command:
LTC Paul Landry .... Sudbury, MA
26thYankee Brigade:
COL John Hammond .... Burlington, MA
151st Regional Support Group:
COL Gregory McDonald .... Framingham, MA
51st Troop Command:
COL Joseph Noonan .... Malden, MA
Regional Training Institute:
COL Charles Perenick .... Duxbury, MA
Camp Edwards:
COL Richard Crivello .... Millville, MA
Medical Command:
LTC Raymond Feeley .... Winthrop, MA
1/181st Infantry Battalion:
LTC Anthony Couture........................ Sterling, MA
1/182nd Infantry Battalion:
LTC Thomas Stewart .... Sturbridge, MA
126th Brigade Support Battalion:
LTC Christine Hoffmann .... Westford, MA
164th Transportation Battalion:
LTC Richard Rollins .... Woburn, MA
Recruiting and Retention Command:
LTC John Driscoll .... Springfield, MA

Commanders, Massachusetts Air National Guard

Commander/Chief of Staff:
Maj Gen Leon S. Rice .... Southampton, MA
Director of Staff:
COL Peter T. Green III .... Southwick, MA
102nd Intelligence Wing:
COL Anthony E. Schiavi .... E. Harwich, MA
104th Fighter Wing:
COL Robert T. Brooks, Jr. ....Longmeadow, MA
253rd Combat Communications Group:
LTC Mark F. Kelley .... Medway, MA
267th Combat Communications Squadron:
LTC Michael L. Reichard .... Schenectady, NY
212th Engineering Installation Squadron:
LTC Scott A. Dumford .... Lunenburg, MA

Secretary of the Commonwealth.

WILLIAM FRANCIS GALVIN *(D)* of Boston

Alan N. Cote, *First Deputy/Supervisor of Public Records,* 17th Floor, McCormack Building, Boston.

Laurie T. Flynn, Malden, *Chief Legal Counsel/Director of Corporations,* 17th Floor, McCormack Building, Boston.

Kelly Kopyt, Salem, *Director of Registry of Deeds,* 16th Floor, McCormack Building, Boston.

Michael A. Maresco, Marshfield, *Assistant Secretary/Director of Legislation,* Room 337, State House, Boston.

Paul C. McCarthy, Bellingham, *Director of Administrative Services,* 17th Floor, McCormack Building, Boston.

Mary McCusker, Auburn, *Director of Human Resources,* 16th Floor, McCormack Building, Boston.

Thomas Blazej, Melrose, *Director of Graphic Communications,* 16th Floor, McCormack Building, Boston.

Michelle K. Tassinari, *Legal Counsel for Elections,* 17th Floor, McCormack Building, Boston.

John D. Warner, Jr., Norwood, *Director of Archives,* State Archives Building, Columbia Point, Boston.

Michael Comeau, *Assitant Director of Archives,* State Archives Building, Columbia Point, Boston.

Richard Sundstrom, Westborough, *Director of Archives Building Facility,* State Archives Building, Columbia Point, Boston.

Brian Shea, Norton, *Director of State Records Center,* State Archives Building, Columbia Point, Boston.

Brona Simon, *Director, Massachusetts Historical Commission,* State Archives Building, Columbia Point, Boston.

Stephen Kenney, Quincy, *Director of Commonwealth Museum,* State Archives Building, Columbia Point, Boston.

Bryan J. Lantagne, *Director of Securities,* 17th Floor, McCormack Building, Boston.

Steve Kfoury, Lawrence, *Director of State Publications and Regulations,* 16th Floor, McCormack Building, Boston.

Mary Rinehart-Stankiewicz, Andover, *Director of State House Tours,* Room 194, State House, Boston.

Corolette Goodwin, Salem, *Director of Central Services,* Room 2A, McCormack Building, Boston.

Barry Sullivan, *Director, Southeastern Offices,* Fall River, MA

Catherine Malta, *Director, Western Offices,* Springfield, MA

Treasurer and Receiver-General

Steven Grossman *(D)*

Katherine Craven . . . . *First Deputy Treasurer and Executive Director of the Massachusetts School Building Authority*

James MacDonald . . . . *Deputy Treasurer of Investment Operations*

Nicola Favorito . . . . *Deputy Treasurer of Retirement Services*

Eileen G. Glovsky . . . . *Deputy Treasure of Administrative Operations*

Kim S. Gainsboro . . . . *Deptuy Treasurer of Community and Veterans' Services and Chairman of the Alcoholic Beverages Control Commission*

Jamey Tesler . . . . *General Counsel*

Colin MacNaught . . . . *Assistant Treasurer, Debt Management*

Michael G. Trotsky . . . . *Executive Director, Pension Reserves Investment Management Board*

Paul Sternburg . . . . *Executive Director of the Massachusetts State Lottery*

David Riedell . . . . *Executive Director of the Massachusetts Water Pollution Abatement Trust*

Mark W. Bracken . . . . *Assistant Treasurer, Abandoned Property*

Peter Navarro . . . . *Assistant Treasurer, Information and Technology*

Jessie Saintcyr . . . . *Assistant Treasurer, Director of Human Resources*

Al Gordon . . . . *Assistant Treasurer, Director of Policy*

Barry Nolan . . . . *Director of Communications*

Delia E. Rissmiller . . . . *Director of Scheduling*

Barbara L'Italien . . . . *Director of Government Affairs*

Francis Orlando . . . . *Deputy Director of Government Affairs*

Leanne Martin . . . . *Director of Financial Eduction*

Kathryn R. Burton . . . . *Chief of Staff*

David P. Lynch . . . . *Director of Deferred Compensation*

Auditor of the Commonwealth.

SUZANNE M. BUMP, ESQ. *(D)* of Great Barrington.

Laura M. Marlin	*First Deputy Auditor*
John Parsons	*Deputy of Audit Operations*
Gerald McDonough	*Deputy of Legal and Policy*
Pamela Lomax	*Deputy of Administration and Finance*
Maryann Kelley	*Director of Intergovernmental Affairs*
Bernadette O'Malley	*Director of External Affairs*

Attorney General

MARTHA COAKLEY *(D)* of Medford

Edward Bedrosian, Jr.	*First Assistant Attorney General*
Sheila Calkins	*Deputy Attorney General*
Kevin Conroy	*Deputy Attorney General*
Cory Welford	*Chief of Staff*
Dennis Newman	*Special Counsel to the Attorney General*
Judy Zeprun Kalman	*Deputy General Counsel*
Jennifer Stark	*Chief of Policy & Government Division*
Liam Lowney	*Chief of Victim Services Dicision*
Melissa Karpinsky	*Press Secretary*
Maeghan Silverberg	*Director of External Affairs*
Ron Calabria	*Chief Information Officer*
Mary Sullivan	*Community Information & Education Director*
Daniel Condon	*CIED Public Inquiry and Assistance Center*

I. Executive Bureau
One Ashburton Place, Boston, MA 02108
(20th and 18th Floors)

a. Human Resources Office
Jean Mejia, Director of Employee Relations & Recruitment
Darlene Puleo, Director of Personnel Administration & Compensation.

b. Budget Office
William Green, Director.
Eugene Schwamb, Deputy Director

c. Operations & Support Services Division
James Donovan, Director.

d. Law Library
Kevin Coakley-Welch, Law Librarian

II. Business and Labor Bureau
Jed Nosal, Chief.

a. Business Technology & Economic Development Division
   Brooke Thomson, Division Chief.
b. Energy & Telecommunications Division
   Jesse Reyes, Division Chief.
c. Fair Labor Division
   Jeffrey Webb, Division Chief
   Jocelyn Jones, Deputy Division Chief
d. Medicaid Fraud Division
   Nat Yeager, Division Chief.
   Steven Hoffman, Deputy Division Chief
e. Not-For-Profit Organizations Division
   David Spackman, Division Chief

III. Criminal Bureau
Christoopher Walsh, Bureau Chief.
Glenn Cunha, Managing Attorney.

a. Appeals Division
   Natalie Monroe, Division Chief.
b. Cybercrime Division
   Thomas Ralph, Division Chief.
c. Insurance & Unemployment Fraud Division
   Margret Cooke, Division Chief.
d. Public Integrity Division
   James O'Brien, Division Chief.
e. Enterprise and Major Crimes Division
   Dean Mazzone, Division Chief.
f. Environmental Crimes Strike Force Division
   Andrew Rainer, Division Chief.
g. State Police Detective Unit
   Detective Robert Irwin.
h. Victim Compensation & Assistance Division
   Lisa Solecki, Director.

IV. Government Bureau
Jennifer Miller, Bureau Chief.
Peter Sacks, Deputy Bureau Chief.

a. Administrative Law Division
William Porter, Division Chief.
Robert Quinan, Managing Attorney

b. Trial Division
Helene Kazanjian, Division Chief.
James Sweeney, Deputy Division Chief

c. Municipal Law Unit
Margaret Hurley, Law Unit Chief.

d. Open Government Division
Amy Nable, Division Chief.

V. Public Protection Advocacy Bureau
Chris Barry-Smith, Chief.
Stephanie Kahn, Deputy Bureau Chief.

a. AntiTrust Division
Jesse Caplan, Division Chief.

b. Antitrust Division
William Matlack, Division Chief.

c. Civil Rights Division
Maura Healey, Division Chief.
Bethany Brown, Disability Rights Project Director.

d. Consumer Protection Division
Scott Schafer, Division Chief.
David Monahan, Division Deputy Chief.

e. Environmental Protection Division
William Pardee, Division Chief.

f. Health Care Division
Thomas O'Brien, Division Chief.

h. Insurance & Financial Services Division
Glenn Kaplan, Division Chief.
Monica Brookman, Deputy Chief.

i. Investigations Division
Quinton Dale, Division Chief.

VI. Regional Offices of the Attorney General

a. Central Massachusetts Regional Office
One Exchange Place, Worcester, MA 01608-1500
Tel: (508) 792-7600; TTY: (617) 727-4765;
Fax: (508) 795-1991
Margaret Hurley, Regional Chief.

b. Southeastern Massachusetts Regional Office

105 William St., New Bedford, MA 02740-6257
Tel: (508) 990-9700; TTY: (617) 727-4765;
Fax: (508) 997-8686
Stephen Marshalek, Regional Chief.

c. Western Massachusetts Regional Office
1350 Main Street 4th Fl., Springfield, MA 01103-1629
Tel: (413) 784-1240; TTY: (617) 727-4765;
Fax: (413) 784-1244
(Vacant), Regional Chief.

Office of the Inspector General.

[Chapter 579 of the Acts of 1980, as amended]

GREGORY W. SULLIVAN, *Inspector General,* Norwood.

Richard Finocchio, *First Assistant Inspector General* . . Marblehead
Jack McCarthy, *Senior Assistant Inspector General* . . . . Norwood
Barbara Hansberry, *General Counsel* . . . . Watertown
Mary Beth Farrelly, *Chief Financial Officer* . . . .

GOVERNOR'S CABINET

Governor's Cabinet.

[Chapter 704 of the Acts of 1969, as amended.]

[This listing includes the Secretariats, as reorganized under Chapter 57 of the Acts of 1996, and subsequently amended by sections 10 and 527 of Chapter 151 of the Acts of 1996, Executive Departments that report directly to the Governor, and boards that are appointed by the Governor.]

SECRETARIATS.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE.

Executive Secretary, Jay Gonzalez.
Undersecretary, Matthew J. Gorzkowicz.
Assistant Secretary for Finance and Infrastructure, Greg Mennis.
Assistant Secretary for Access and Opportunity, Ronald G. Marlow

MAJOR AGENCY HEADS:
Bureau of State Office Buildings (BSB), Carole Cornelison, Superintendent.
Division of Capital Asset Management and Maintenance (DCAM), David Perini, Commissioner.
Civil Service Commission (CSC), Chris Bowman, Chairperson.
Office of the Comptroller (OSC), Martin Benison, Comptroller.
Massachusetts Development Disabilities Council (MDDC), Daniel Shannon, Executive Director.
Massachusetts Office on Disability (MOD), Myra Berloff, Director.
Group Insurance Commission (GIC), Dolores L. Mitchell, Executive Director.
Board of Library Commissioners (BLC), Robert Maier, Director.
Information Technology Division (ITD), Acting Commonwealth Chief Information Officer, John Letchford.
Massachusetts Teachers' Retirement Board (MTRB), Joan Schloss, Chairman.
Division of Human Resources (HRD), Paul Dietl, Chief Human Resources Officer.
Public Employee Retirement Administration Commission (PERAC), Joseph Connarton, Executive Director.
Department of Revenue (DOR), Navjeet Bal, Commissioner.
State Library (George Fingold), Elvernoy Johnson, State Librarian.
Operational Services Division (OSD), William McAvoy, Acting State Purchasing Agent.

AGENCIES INCLUDE: —

Division of Administrative Law Appeals (DALA).
Appellate Tax Board (ATB).
Bureau of State Office Buildings (BSB).
Division of Capital Asset Management (DCAM).
Civil Service Commission (CSC).
Office of the Comptroller (OSC).
Massachusetts Development Disabilities Council (MDDC).
Massachusetts Office On Disability (MOD) .
Group Insurance Commission (GIC).
Board of Library Commissioners (BLC).
Information Technology Division (ITD).
Massachusetts Teachers' Retirement Board (MTRB).
Division of Human Resources (HRD).
Operational Services Division (OSD).
Public Employee Retirement Administration Commission (PERAC).
Department of Revenue (DOR).
State Library (LIB).

EXECUTIVE OFFICE OF ELDER AFFAIRS.

[Chapter 1168 of the Acts of 1973.]

Secretary, Ann L. Hartstein.
Chief of Staff, Susan Thomson, Malden.
*Executive Assistant to the Secretary of Elder Affairs,*Colleen McHatton.
Undersecretary, Program and Administration, Sandra K. Albright, Milton.
Assistant Secretary, Planning & Program Development, Ruth Palombo, Arlington.
Assistant Secretary, Office of Long Term Care, Rachel Richards, Stow.
General Counsel, Stan Eichner, Somerville.
Director of Administration & Finance, Peter Tiernan, Holden.
Budget Director, Katherine Harvell, Sudbury
Communications Director, Martina Jackson, Newton.
Legislative Director, Siobhan Coyle, Beverly.

EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS.

Secretary, Stephen Pritchard.
Undersecretary for Policy & Acting Chief of Staff, James Stergios.
General Counsel, Mary Griffin.

Assistant Secretary for Public Affairs, Joseph O'Keefe.
Assistant Secretary for Environmental Review, Deerin Babb-Brott.
Assistant Secretary for Human Resources, Mary Sharkey.
Director of Coastal Zone Management, Susan Snow-Cotter.
Director of Conservation Services & Forest Policy, Robert O'Connor.
Director of the Environment Trust, Robbin Peach.
Director of Geographic Information Services, Christian Jacqz.
Director of Environmental Law Enforcement, James Hanlon.
Director of Public/Private Partnerships, Betsy Shure-Gross.
Director of Technical Assistance, Paul Richard.

DEPARTMENT OF AGRICULTURAL RESOURCES
Commissioner, Douglas Gillespie.
Deputy Commissioner & Chief of Staff, Kent Lage.

DEPARTMENT OF CONSERVATION & RECREATION
Acting Commissioner, Stephen Pritchard.
Acting Chief of Staff, Josh Bagnato.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Commissioner, Robert Golledge.
Chief of Staff, Philip Griffiths.

DEPARTMENT OF FISH & GAME
Commissioner, David Peters.
Program Coordinator, Robert Greco.

MASSACHUSETTS WATER RESOURCES AUTHORITY
Chairman of the Board, Stephen Pritchard.
Executive Director, Fred Laske.

EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.

Secretary, Dr. JudyAnn Bigby.
Assistant Secretary for Children, Youth & Families:
Marilyn Anderson Chase
Assistant Secretary for Disability Policies & Programs: Jean McGuire
Assistant Secretary for Office of Health Services: Sarah Iselin
Policy Director: Melissa Shannon
Legislative Director: David Martin
Communications Director: Juan Martinez

MAJOR AGENCY HEADS: —
Commission for the Blind, Janet LaBreck, Commissioner.
Commission for the Deaf and Hard of Hearing, Heidi Reed, Commissioner.

Department of Social Services, Angelo McClain, Commissioner.
Department of Mental Health, Barbara Leadholm, Interim Commissioner.
Department of Mental Retardation, Elin Howe, Commissioner.
Department of Public Health, John Auerbach, Commissioner.
Department of Transitional Assistance, Julie Kehoe, Commissioner.
Department of Youth Services, Jane Tewksbury, Commissioner.
Division of Health Care Finance and Policy, Sarah Iselin, Acting Commissioner.
Executive Office of Affairs: Ellie Shea-Delaney, Acting Secretary.
Executive Office of Veterans' Services: Thomas G. Kelley, Secretary.
Massachusetts Rehabilitation Commission, Charles Carr, Commissioner.
Office of Medicaid: Thomas Dehner, Dirctor
Office of Refugees and Immigrants, Pierre Imbert, Executive Assistant.
Soldiers' Home in Chelsea, Michael Resca, Commandant.
Soldiers' Home in Holyoke, Paul A. Morin, Superintendent.
UMass medical School Commonwealth Medicine: Thomas D. Manning, Deputy Chancellor.

AGENCIES INCLUDE: —

- Department of Mental Health.
- Department of Social Services.
- Office of Child Care Services.
- Department of Transitional Assistance.
- Department of Public Health.
- Division of Health Care Finance and Policy.
- Division of Medical Assistance.
- Massachusetts Rehabilitation Commission.
- Commission for the Blind.
- Commission for the Deaf and Hard of Hearing.
- Soldiers' Home in Chelsea.
- Soldiers' Home in Holyoke.
- Department of Youth Services.
- Department of Mental Retardation.
- Office of Refugees and Immigration.

ADVISORY BOARDS: —

- Board of Trustees of all State Hospitals and State Schools.
- Refugee Advisory Council.
- Mental Health Advisory Council.
- Mental Retardation Advisory Council.
- Commission for Licensing Radiologist Technologists.
- Health Facilities Appeal Board.

Governor's Commission on Physical Fitness.
Public Health Council.
Advisory Board for Lead Paint Poisoning Program.
Nutrition Board.
Organ Transplant Fund Advisory Board.
Drug Formulary Commission.
Advisory Council on Radiation Protection.
Advisory Council on Alcoholism.
Drug Addiction Rehabilitation Board.
Board of Trustees Massachusetts Hospital School.
Board of Trustees Tewksbury Hospital.
Advisory Council to the Massachusetts Rehabilitation Commission.
Advisory Council to the Massachusetts Commission for the Blind.
Advisory Council to the Massachusetts Commission for the Deaf and Hard of Hearing.
Board of Trustees of the Soldiers' Home in Chelsea.
Board of Trustees of the Soldiers' Home in Holyoke.
Statewide Independent Living Council.
Children's Trust Fund.
Advisory Committee on Chaplains in State Institutions.
Adolescent Health Council.

EXECUTIVE OFFICE OF PUBLIC SAFETY.

Executive Secretary, Mary Elizabeth Hefferman.
Undersecretary, John Grossman, Forensic Science and Technology and Acting Chief of Staff.
Undersecretary, Sandra McCroon, Criminal Justice.
Undersecretary, Kurt Schwartz, Law Enforcement & Fire Services and Homeland Security.
Senior Counsel for Law Enforcement and Fire Services, Karen Wells.
General Counsel, Greg Massing.
Director of Communications, Terrel Harris.
Legislative Director, Michelle Goldman.
Senior Policy Advisor, Nurys Camargo.
Manager of Public Policy and Public Affairs, Michael Christopher.

MAJOR AGENCY HEADS: —
Department of Criminal Justice Information Services, Curtis Wood, Executive Director.
Department of Correction, Luis Spencer, Acting Commissioner.
Department of Fire Services, Steve Coan, Fire Marshal.
Department of Public Safety, Thomas Gatzunnis, Commissioner.

EOPS - Office of Grants and Research, Ellen Frank, Executive Director.
Massachusetts Emergency Management Agency, Kurt Schwartz, Acting Director.
Merit Rating Board, Mary Ann Mulhall, Director.
Municipal Police Training Council, Dan Zickovich, Executive Director.
Massachusetts National Guard, Major General Joseph Carter, The Adjutant General.
Office of the Medical Examiner, Henry Nields Md, PHD, Chief Medical Examiner.
Parole Board, Josh Wall, Executive Director.
Sex Offender Registry Board, Saundra Edwards, Chairperson.
State Police, Colonel Marian McGovern, Superintendent.
Statewide Emergency Telecommunications Board, Frank Pozniak, Executive Director.

AGENCIES INCLUDE: —

Department of Public Safety
- Amusement Advisory Board
- Architectural Access Board
- Board of Boiler Rules.
- Board of Building Regulations and Standards.
- Board of Elevator Appeals.
- Board of Elevator Examiners.
- Board of Elevator Regulations.
- Bureau of Pipefitters, Sprinklerfitters, & Refrigeration Technicians.
- Massachusetts Boxing Commission.
- Recreational Tramway Board.

Criminal History System Board
- Firearm Licensing Review Board.
- Gun Control Advisory Board.

Department of Fire Services
- Board of Fire Prevention Regulations.
- Fire Safety Commission.
- Fire Training Council.
- Hazardous Materials Mitigation Emergency Response Advisory Board.

Office of the Chief Medical Examiner
- Medico-Legal Investigation Commission.

Department of Corrections
Massachusetts Emergency Management Agency
Merit Rating Board

Municipal Police Training Committee
Massachusetts National Guard
Parole Board
Sex Offender Registry Board
Massachusetts State Police
Statewide Emergency Telecommunications Board

Office of Grants & Research
- Highway Safety Bureau
- Juvenile Justice Advisory Board

EXECUTIVE OFFICE OF TRANSPORTATION AND PUBLIC WORKS.

CEO and Secretary of Transportation, Jeffrey B. Mullen
Chief of Staff, Susan L. Quinones.
Assistant Secretary, Joe Landolfi.
Chief Financial Officer, Arthur Shea.
Chief Information Officer, Mary-Joe Perry.
Chief Administrative Officer, Ken Weber.
Executive Director of Transportation Planning, David Mohler.
Director of Real Estate and ASset Development, Peter O'Connor.
Director of Performance Management and Innovation, Albert Shaw.
Director of Audit, Beth Pellegrini
Legislative Director, Jefferson Smith
General Counsel, Monica Conyngham.
Director of Civil Rights, John Lozada.

DIVISION ADMINISTRATORS: —
Acting Highway Division Administrator, Luisa Paiewonsky.
Registry of Motor Vehicles Registrar, Rachel Kaprielian.
Rail and Transit Division Administrator and MBTA General Manager, Rishard Davey.
Aeronautics Division Administrator, Christopher Willenborg

AGENCIES INCLUDE: —
Massachusetts Aeronautics Commission.
Massachusetts Highway Department.
Registry of Motor Vehicles.
Massachusetts Bay Transportation Authority.
Regional Transportation Authorities.

DEPARTMENTS AND OFFICES REPORTING DIRECTLY TO GOVERNOR.

OFFICE OF CONSUMER AFFAIRS AND BUSINESS REGULATION.

Undersecretary, Barbara Anthony.
Chief of Staff, Sandra Clark.
General Counsel, Diane Lawton.
Director of Communications, Jason Lefferts.
Director of Consumer Education, Nicole O'Toole.
Chief Financial Officer, Gray Holmes.
Executive Assistant, Maureen Tobin.

MAJOR AGENCY HEADS: —
Division of Banks, David Cotney, Commissioner; Joseph Leonard, General Counsel.
Division of Insurance, Joseph G. Murphy, Commissioner.
Division of Telecommunications and Cable, Geoffrey Why, Commissioner.
Division of Professional Licensure, Charles Walker, Interim Director.
Division of Standards, Charles Carroll, Deputy Director.

AGENCIES INCLUDE: —
- Division of Banks.
- Division of Insurance.
- Division of Telecommunications and Cable.
- Division of Standards.
- Division of Professional Licensure:
  - Board of Registration of Health Officers.
  - Board of Public Accountancy.
  - Board of Registration of Allied Health Professionals.
  - Board of Registration of Allied Mental and Human Services Professionals.
  - Board of Registration of Architects.
  - Board of Registration of Barbershops.
  - Board of Registration of Chiropractors.
  - Board of Registration of Cosmetology and Aestheticians.
  - Board of Registration of Dieticians and Nutritionists.
  - Board of Registration of Dispensing Opticians.
  - Board of Registration of Drinking Water and Supply Facility Operators.
  - Board of Registration of Electrologists.
  - Board of Registration of Funeral Services and Embalming.

Board of Registration of Hearing Instrument Specialists.
Board of Registration of Home Inspectors.
Board of Registration of Landscape Architects.
Board of Registration of Massage Therapy.
Board of Registration in Optometry.
Board of Registration of Plumbers and Gas Fitters.
Board of Registration of Podiatry.
Board of Registration of Professional Engineers and Land Surveyors.
Board of Registration of Pyschology.
Board of Registration of Radio and Television Technicians.
Board of Registration of Real Estate Appraisers.
Board of Registration of Real Estate Brokers & Salespersons.
Board of Registration of Sanitarians.
Board of Registration of Sheet Metal Workers.
Board of Registration of Social Workers.
Board of Registration for Speech-Language Pathology and Audiology.
Board of Registration in Veterinary Medicine.
Board of Registration of Electricians and Fire Alarm Technicians.
State Racing Commission.

MAJOR AGENCY HEADS: —
Massachusetts Office of Business Development, Anne Struthers, Executive Director.
Office of Small Business and Entrepreneurship, Andre Porter.
State Office of Minority and Women's Business Assistance, Harold Vaughn, Director.
Massachusetts Office of Travel and Tourism, Betsy Wall, Executive Director.
Massachusetts Office of International Trade and Investment, Ted Carr, Executive Director.

EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT.

Secretary, Gregory Bialecki.
Chief of Staff, Enrique Perez.
Assistant Secretary of Policy and Planning, C. Stanley McGee.
Deputy Chief of Staff for Legislative Affairs, Seamus Kelley.

Director of Communications and Public Affairs, Kim Haberlin.
General Counsel, Maureen Flynn.
Undersecretary of Business Development, Michael Hunter.
Undersecretary of Housing & Community Development, Tina Brooks.
Undersecretary of Consumer Affairs & Business Regulation, Barbara Anthony.
State Permitting Ombudsman, April Anderson-Lamoureux.

EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT.

Secretary of Labor and Workforce Development, Suzanne M. Bump.
Chief of Staff, Bernadette O'Malley.
General Counsel, Gerald McDonough.
Director of Administration and Finance, Joan Lenihan.
Budget Coordinator, Janice M. Fennell.
Payroll/Operations, Paula Cucinotta.
Director of Communications, Alison Harris.
Press Secretary, alex Goldstein.
Executive Director, Massachusetts Workforce Investment Board, Tamika N. Correia.
Diversity Officer, Kenneth Owens
Director of Policy and Planning, Robb Smith.
Director of Special Projects, R.J. McGrail.
Legislative Director, Stephanie Noguera.
Administrative Assistant, Jane marie Frain.
Administrative Assistant, Anne Tainter.

AGENCIES INCLUDE: —
Department Of Labor.
Department Of Workforce Development.

DEPARTMENT OF LABOR.

Director, George Noel.
Deputy Director and General Counsel, Thomas Jones.
Commissioner, Department of Industrial Accidents, Judge Paul V. Buckely, Jr. (Ret.).
Commissioner, Division of Occupational Safety, Laura Marlin.
Director, Division of Labor Relations, Michael Byrnes.

DEPARTMENT OF WORKFORCE DEVELOPMENT.

Undersecretary of Workforce Development, Jennifer James.
Director, Department of Workforce Development, Michael Taylor.
Director, Division of Unemployment Assistance, Edward Malmborg.

Director, Division of Career Services, Rosemary Chandler.
Director, Division of Apprentice Training, Dave Wallace.

COMMONWEALTH CORPORATION.

President, Nancy Snyder,

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT.

Undersecretary of Housing & Community Development, Tina Brooks.
Chief of Staff, Steve Carvalho.
Chief of Counsel, Deborah Goddard
Chief Financial Officer, Jennifer Maddox.

MAJOR AGENCY HEADS: —
Division of Housing Development, Catherine Racer, Associate Director.
Division of Public Housing and Rental Assistance, Lizbeth Heyer, Associate Director.
Housing Appeals Committee, Werner Lohe, Chairman.
Commission on Indian Affairs, John (Jim) Peters, Executive Director.
Division of Community Services, Sandra Hawes, Associate Director.
Division of Housing Stabilization, Robert Pulster, Associate Director.

BOARDS APPOINTED BY THE GOVERNOR.

BOARD OF EDUCATION.

Board of Early Education and Care, J.D. Chesloff, Chairman
Board of Elementary and Secondary Education, Maura Banta, Chairwoman.
Board of Higher Education, Dr. Charles Desmond, Chairman.
University of Massachusetts, VACANT, Chair.

* The Commissioners of the Departments of Early Education and Care, Elementary and Secondary Education, and Higher Education are not appointed by the Governor.

Department of Early Education and Care, Dr. Sherri Killins, Commissioner.
Department of Elementary and Secondary Education, Dr. Mitchell Chester, Commissioner.
Department of Higher Education, Dr. Richard Freeland, Commissioner.

LEGISLATIVE DEPARTMENT.

SENATE, ALPHABETICALLY.

Steven A. Baddour	*First Essex District.*
Frederick E. Berry	*Second Essex District.*
Stephen M. Brewer	*Worcester, Hampden, Hampshire and Franklin District.*
Gale D. Candaras	*First Hampden and Hampshire District.*
Harriette L. Chandler	*First Worcester District.*
Sonia Chang-Diaz	*Second Suffolk District.*
Katherine Clark	*Middlesex and Essex District.*
Cynthia Stone Creem	*First Middlesex and Norfolk District.*
Sal N. DiDomenico	*Middlesex, Suffolk and Essex District.*
Kenneth J. Donnelly	*Fourth Middlesex District.*
Eileen Donoghue	*First Middlesex District.*
Benjamin B. Downing	*Berkshire, Hampshire and Franklin District.*
James B. Eldridge	*Middlesex and Worcester District.*
Susan C. Fargo	*Third Middlesex District.*
Barry R. Finegold	*Second Essex and Middlesex District.*
Jennifer L. Flanagan	*Worcester and Middlesex District.*
John A. Hart, Jr.	*First Suffolk District.*
Robert L. Hedlund	*Plymouth and Norfolk District.*
Patricia D. Jehlen	*Second Middlesex District.*
Brian A. Joyce	*Norfolk, Bristol and Plymouth District.*
John F. Keenan	*Norfolk and Plymouth District.*
Thomas P. Kennedy	*Second Plymouth and Bristol District.*
Michael R. Knapik	*Second Hampden and Hampshire District.*
Thomas M. McGee	*Third Essex and Middlesex District.*
Mark C. Montigny	*Second Bristol and Plymouth District.*

Michael O. Moore	*Second Worcester District.*
Richard T. Moore	*Worcester and Norfolk District.*
Therese Murray	*Plymouth and Barnstable [President] District.*
Marc R. Pacheco	*First Plymouth and Bristol District.*
Anthony Petruccelli	*First Suffolk and Middlesex District.*
Michael J. Rodrigues	*First Bristol and Plymouth District.*
Stanley C. Rosenberg	*Hampshire and Franklin District.*
Richard J. Ross	*Norfolk, Bristol and Middlesex District.*
Michael F. Rush	*Suffolk and Norfolk District.*
Karen Spilka	*Second Middlesex and Norfolk District.*
Bruce E. Tarr	*First Essex and Middlesex District.*
James E. Timilty	*Bristol and Norfolk District.*
Steven A. Tolman	*Second Suffolk and Middlesex District.*
James T. Welch	*Hampden District.*
Daniel A. Wolf	*Cape and Islands District.*

SENATE BY DISTRICTS

SENATE . . . BY DISTRICT.

Hon. Therese Murray, President.

DISTRICT.	NAME.	RESIDENCE.	ADDRESS DURING THE SESSION.
Berkshire, Hampshire and Franklin	Benjamin B. Downing. (D)	Pittsfield, 123 Pomeroy Avenue	At home.
First Bristol and Plymouth	Michael J. Rodrigues (D)	Westport, 428 Sanford Road	At home.
Second Bristol and Plymouth	Mark C. Montigny (D)	New Bedford, 94 Hawthorn Street	At home.
Cape and Islands	Daniel A. Wolf (D)	Harwich, 168 Main Street	At home.
First Essex	Steven A. Baddour (D) (Resigned March 26, 2012)	Methuen, 20 Maple Ridge Road	At home.
Second Essex	Frederick E. Berry (D)	Peabody, 210 Washington Street	At home.
First Essex and Middlesex	Bruce E. Tarr (R)	Gloucester, 80 Essex Avenue	At home.

District.	Name.	Residence.	Address during the session.
Second Essex and Middlesex	Barry R. Finegold (D)	Andover, 42 Stirling Street	At home.
Third Essex and Middlesex	Thomas M. McGee (D)	Lynn, 9 Pine Road	At home.
Hampden	James T. Welch (D)	West Springfield, 270 Chirstopher Terrace	At home.
First Hampden and Hampshire	Gale D. Candaras (D)	Wilbraham, 643 Tinkham Road	At home.
Second Hampden and Hampshire	Michael R. Knapik (R)	Westfield, 45 East Silver Street	At home.
Hampshire and Franklin	Stanley C. Rosenberg (D)	Amherst, 38 Webster Court	At home.
First Middlesex	Eileen M. Donoghue (D)	Lowell, 257 Andover Street	At home.
Second Middlesex	Patricia D. Jehlen[1] (D)	Somerville, 67 Dane Street	At home.
Third Middlesex	Susan C. Fargo (D)	Lincoln, 7 Mine Brook Road	At home.
Fourth Middlesex	Kenneth J. Donnelly (D)	Arlington, 12 Grandview Road	At home.

Middlesex and Essex . .	Katherine M. Clark (R).	Melrose, 64 Prospect Street	At home.
First Middlesex and Norfolk	Cynthia Stone Creem (D)	Newton, 110 Huntington Road	At home.
Second Middlesex and Norfolk	Karen E. Spilka (D)	Ashland, 18 Rome Way	At home.
Middlesex, Suffolk and Essex	Anthony D. Galluccio (D) . . . . (Resigned January 5, 2010)	Cambridge, 23 Trowbridge Street	At home.
	Sal N. DiDomenico[2] (D)	Everett, 125 Clarence Street	At home.
Middlesex and Worcester	James B. Eldridge (D)	Acton, 195 Arlington Street	At home.
Norfolk, Bristol and Middlesex	Scott P. Brown (R) . . . . (Resigned February 4, 2010)	Wrentham, 70 Hayden Woods	At home.
	Richard J. Ross[3] (R).	Wrentham, 415 Franklin Street	At home.

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1. Elected Sept. 27, 2005; qualified Oct. 12, 2005.
2. Elected May 11, 2010; qualified May 20, 2010.
3. Elected May 11, 2010; qualified May 20, 2010.

DISTRICT.	NAME.	RESIDENCE.	ADDRESS DURING THE SESSION.
Norfolk, Bristol and Plymouth	Brian A. Joyce (D)	Milton, 95 Hinckley Road	At home.
Norfolk and Plymouth	John F. Keenan (D)	Quincy, 37 Hobomack Road	At home.
Bristol and Norfolk	James E. Timilty (D)	Walpole, 5 Burrill Street	At home.
Plymouth and Barnstable	Therese Murray (D)	Plymouth, 1 Winding Lane	At home.
First Plymouth and Bristol	Marc R. Pacheco (D)	Taunton, 7 Dartmouth Street	At home.
Second Plymouth and Bristol	Thomas P. Kennedy (D)	Brockton, 92 Winthrop Street	At home.
Plymouth and Norfolk	Robert L. Hedlund (R)	Weymouth, 54 Longwood Road	At home.
First Suffolk	John A. Hart, Jr. (D)	Boston, 62 G Street	At home.
Second Suffolk	Sonia R. Chang-Diaz (D)	Boston, 18 Saint Rose Street	
First Suffolk and Middlesex	Anthony W. Petruccelli (D)	East Boston, 101 Gladstone Street	At home.

Second Suffolk and Middlesex	Steven A. Tolman (D) (Resigned October 13, 2011)	Boston, 17 Madeline Street	At home1
	William N. Brownsberger[1] (D)	Belmont, 6 Stella Road	At home.
Suffolk and Norfolk	Michael F. Rush (D)	West Roxbury, 65 Cass Street	At home.
First Worcester	Harriette L. Chandler (D)	Worcester, 97 Aylesbury Road	At home.
Second Worcester	Michael O. Moore (D)	Millbury, 7 Momin Drive	At home.
Worcester, Hampden, Hampshire and Franklin	Stephen M. Brewer (D)	Barre, 193 Pleasant Street	At home.
Worcester and Middlesex	Jennifer L. Flanagan (D)	Leominster, 42H Meadow Pond Drive	At home.
Worcester and Norfolk	Richard T. Moore (D)	Uxbridge, 235 Williams Street	At home.

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[1] Elected January 10, 2012; qualified January 24, 2012.

SEATING ARRANGEMENT OF THE SENATE

Hon. THERESE MURRAY, President.

On the President's Left.	*On the President's Right.*
1. Hon. Frederick E. Berry	1. Hon. Stanley C. Rosenberg
2. Hon. Steven A. Tolman	2. Hon. Cynthia Stone Creem
3. Hon. John A. Hart, Jr.	3. Hon. Richard J. Ross
4. Hon. Stephen M. Brewer	4. Hon. Michael R. Knapik
5. Hon. Steven A. Baddour	5. Hon. Bruce E. Tarr
6. Hon. Harriette L. Chandler	6. Hon. Robert L. Hedlund
7. Hon. Jennifer L. Flanagan	7. Hon. John F. Keenan
8. Hon. Mark C. Montigny	8. Hon. Michael O. Moore
9. Hon. Brian A. Joyce	9. Hon. Patricia D. Jehlen
10. Hon. Michael F. Rush	10. Hon. Kenneth J. Donnelly
11. Hon. James B. Eldridge	11. Hon. Eileen M. Donoghue
12. Hon. Karen E. Spilka	12. Hon. Richard T. Moore
13. Hon. Anthony W. Petruccelli	13. Hon. Barry R. Finegold
14. Hon. Benjamin B. Downing	14. Hon. Gale D. Candaras
15. Hon. James T. Welch	15. Hon. Michael J. Rodrigues
16. Hon. Thomas M. McGee	16. Hon. Sonia Chang-Diaz
17. Hon. Daniel A. Wolf	17. Hon. James E. Timilty
18. Hon. Sal N. DiDomenico	18. Hon. Marc R. Pacheco
19. Hon. Katherine M. Clark	19. Hon. Susan C. Fargo
20. Hon. Thomas P. Kennedy	20. Vacant

OFFICERS AND EMPLOYEES OF THE SENATE

President of the Senate.

Hon. THERESE MURRAY, Plymouth.
Room 332, State House.

Chief of Staff, Office of the President of the Senate.
RICHARD A. MUSIOL, JR.

Deputy Chief of Staff, Office of the President of the Senate.
JEROME SMITH.

Chief Policy Advisor, Office of the President of the Senate.
ROBERT C. ROSS.

Senior Policy Advisor, Office of the President of the Senate.
DAVID M. SELTZ.

Director of Communications, Office of the President of the Senate.
DAVID FALCONE.

Deputy Director of Communications, Office of the President of the Senate.
SAMANTHA DALLAIRE.

Chief Financial Officer, Office of the President of the Senate.
KERRY A. HARRISON.

Executive Assistant to the President, Office of the President of the Senate.
KAREN BUTTIGLIERI.

SENATE CLERK.

(General Laws, Chapter 3, Sections 12-13)
WILLIAM F. WELCH, MILFORD.
Room 335, State House

Assistant Clerk.
MICHAEL D. HURLEY, SOUTH BOSTON.

Second Assistant Clerk.
STACEY O. LEMAY, QUINCY.

Senate Calendar Clerk.
ANDREA M. MARUZZI, Winthrop.

Office Manager.
JOHN G. CRONIN, Milton.

Clerical Assistants.
ROBERT J. YEAGER, Avon.
CAROLYN T. DAVIS, Dorchester.
WILLIAM CARNEY, Milton.
SHAWN LINEHAN, Salem.
SANDY FUNG, Newton.
BRIAN ARTHUR, Roxbury.
MATTHEW GREW, Somerville.

COUNSEL TO THE SENATE.

(General Laws, Chapter 3, Sections 51-55)
ALICE MOORE, Westwood.
Room 200, State House

Deputy Counsel to the Senate
(Vacant)

Assistant Counsels to the Senate.
ROBERT D. BOWES, SR. , Lynn.
IRENE R. COMEAU, Boston.
EILEEN S. FITZGERALD, Milton.
LISA GEMTILE, Boston.
JOSH KRINTZMAN, Newton.

SERGEANT-AT-ARMS.

(Vacant), Boston
Room 10, State House.

APPOINTEES.

Assistant Sergeant-at-Arms —
Assistant Sergeant-at-Arms — Alice Fitzmaurice.
Chief Administrative Voucher Examiner — Karen Johnson.

Assigned to Senate.
Chief Court Officer, Assistant Sergeant-at-Arms.

PAUL I. DOOLEY

Assigned Chief Court Officers.

BENJAMIN HUBBART
MICHAEL F. TIERNEY

General Court Officers.

KERRI BUCKLEY
CHRISTINE BOARDMAN
THOMAS McDONOUGH
JOSEPH O'DONNELL
MICHAEL PANO

Assistant Legislative Postmasters.

ANGEL ROSA, Postmaster.
DANIEL S. ELIO, Assistant Postmaster.

JOINT SENATE-HOUSE LEGISLATIVE ENGROSSING DIVISION.

JOAN CHIASSON, *Director of Engrossing.*
COLLEEN A. CARROLL, Clerk.
SYLVIA CURLEY, Clerk.
LAUREN MANN, Clerk.
BRYAN MENDONCA, Clerk.
JUDITH M. O'BRIEN, Clerk.
PAULA WARD, Clerk.

HOUSE OF REPRESENTATIVES ALPHABETICALLY

HOUSE OF REPRESENTATIVES, ALPHABETICALLY.

WITH DISTRICTS REPRESENTED, POST-OFFICE ADDRESSES AND RESIDENCES DURING THE SESSION.

Hon. ROBERT A. DELEO, *Speaker.*

NAME.	District.	Post-office Address.	Residence during the session.	No. of Seat.
Adams, Paul	17, Essex	12 Berkeley Lane, Andover	At home	152
Aguiar, Kevin	7, Bristol	48 Coral Street, Fall River	At home	80
Alicea, Geraldo[1]	6, Worcester	13 Deer Run, Charlton	At home	127
Andrews, Denise	2, Franklin	21 Beach Lane, Orange	At home	96
Arciero, James	2, Middlesex	18 Banbury Drive, Westford	At home	140
Ashe, Brian Michael	2, Hampden	107 Belleclaire Avenue, Longmeadow	At home	38

Atkins, Cory	14, Middlesex	1540 Monument Street, Concord	At home	29
Atsalis, Demetrius J.	2, Barnstable	P.O. Box 283, West Hyannisport 02672	170 Tobey Way, Barnstable	84
Ayers, Bruce J.	1, Norfolk	45 Williams Street, Quincy	At home	124
Balser, Ruth B.	12, Middlesex	36 Audubon Drive, Newton	At home	147
Barrows, F. Jay	1, Bristol	370 Pratt Street, Mansfield	At home	26
Basile, Carlo	1, Suffolk	187 Orient Avenue, Boston	At home	45
Bastien, Richard	2, Worccester	72 Eastwood Circle, Gardner	At home	48
Beaton, Matthew A.	11, Worcester	8 Park Gorve Lane, Shrewsbury	At home	73
Benson, Jennifer E.	37, Middlesex	1010 Flat Hill Road, Lunenburg	At home	142

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1. Lost special election, May 10, 2011.

NAME.	District.	Post-office Address.	Residence during the session.	No. of Seat.
Binienda, John J.	17, Worcester	41 Circuit Avenue East, Worcester	At home	20
Boldyga, Nicholas A.	3, Hampden	135 Berkshire Avenue, Southwick	At home	100
Bradley, Garrett J.	3, Plymouth	774 Main Street, Hingham	At home	136
Brady, Michael D...	9, Plymouth	28 Ellis Street, Brockton	At home	59
Brodeur, Paul A.	32, Middlesex	125 Trenton Street, Melrose	At home	68
Brownsberger, William N..	24, Middlesex	6 Stella Road, Belmont	At home	156
Cabral, Antonio F. D.	13, Bristol	25 Moreland Terrace, New Bedford	At home	39
Calter, Thomas J.	12, Plymouth	26 Rosewood Drive, Kingston	At home	143
Campbell, Linda Dean	15, Essex	42 Sugar Pine Lane, Methuen	At home	13

Canavan, Christine E.	10, Plymouth	29 Mystic Street, Brockton	At home	69
Canessa, Stephen R.	12, Bristol	400 Prescott Street, New Bedford	At home	130
Cantwell, James N.	4, Plymouth	103 Tilden Road, Marshfield	At home	132
Cariddi, Gailanne M.	1, Berkshire	100 Galvin Road, North Adams	At home	15
Chan, Tackey	2, Norfolk	66 Meadowbrook Road, Quincy	At home	95
Coakley-Rivera, Cheryl A.	10, Hampden	67 Rowland Street, Springfield	At home	104
Collins, Nick	4, Suffolk	923 East Broadway, Boston	At home	106
Conroy, Thomas P..	13, Middlesex	265 Old Connecticut Path, Wayland	At home	30
Coppinger, Edward F.	10, Suffolk	227 Manthorne Road, Boston	At home	107
Costello, Michael A.	1, Essex	13 Broad Street, Newburyport	At home	87

NAME.	District.	Post-office Address.	Residence during the session.	No. of Seat.
Creedon, Geraldine	11, Plymouth	393 West Elm Street, Brockton	At home	60
Curran, Sean	9, Hampden	91 Upton Street, Springfield	At home	118
Cusack, Mark James	5, Norfolk	74 Brow Avenue, Braintree	At home	65
DeLeo, Robert A[1].	19, Suffolk	P.O. Box 520456, Winthrop	5 Eleanor Court, Winthrop	1 SPK
deMacedo, Viriato Manuel	1, Plymouth	54 Mountain Hill Road, Plymouth	At home	28
D'Emilia, Angelo L.	8, Plymouth	78 High Street, Bridgewater	At home	50
Dempsey, Brian S.	3, Essex	15 Oxford Street, Haverhill	At home	115
Devers, Marcos A.	16, Essex	16 Woodland Street, Lawrence	At home	45
Diehl, Geoffrey G.	7, Plymouth	10 Village Way, Whitman	At home	129

DiNatale, Stephen L.	3, Worcester	150 Walton Street, Fitchburg	At home	33
Donato, Paul J.	35, Middlesex	48 Maurice Street, Medford	At home	2
Durant, Peter J.[2]	6, Worcester	109 Charlton Road, Spencer	At home	127
Dwyer, James J..	30, Middlesex	7 Wyman Street, Woburn	At home	35
Dykema, Carolyn, C.	8, Middlesex	429 Marshall Street, Holliston	At home	42
Ehrlich, Lori A..	8, Essex	46 Gerald Road, Marblehead	At home	97
Fallon, Christopher G.	33, Middlesex	49 Dexter Street, Malden	At home	117
Fattman, Ryan C.	18, Worcester	206 Burbank Road, Sutton	At home	132
Fennell, Robert F.	10, Essex	31 Scranton Way, Lynn	At home	90

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[1] Elected Speaker January 28, 2009.
[2] Elected May 10, 2011; Qualified May 25, 2011.

NAME.	District.	Post-office Address.	Residence during the session.	No. of Seat.
Ferguson, Kimberly N.	1, Worcester	244 Bailey Road, Holden	At home	74
Fernandes, John V.	10, Worcester	320 Purchase Street, Milford	At home	109
Ferrante, Ann-Margaret.	5, Essex	11 1/2 Proctor Street, Gloucester	At home	23
Finn, Michael J.	6, Hampden	465 Goosebury Road, West Springfield	At home	122
Forry, Linda Dorcena	12, Suffolk	123 Richmond Street, Boston	At home	138
Fox, Gloria L.	7, Suffolk	7 Harold Park, Boston	At home	133
Fresolo, John P.	16, Worcester	25 Dolly Drive, Worcester	At home	19
Frost, Paul K.	7, Worcester	308 Rochdale Street, Auburn	At home	47
Galvin, William C.	6, Norfolk	40 Beatrice Way, Canton	At home	91

Garballey, Sean	23, Middlesex	45 Maynard Street, Arlington	At home	94
Garlick, Denise C.	13, Norfolk	22 Trout Pond Lane, Needham	At home	61
Garry, Colleen M.	36, Middlesex	55 Chapman Street, Dracut	At home	98
Gifford, Susan Williams	2, Plymouth	11 Lincoln Highway, Wareham	At home	101
Gobi, Anne M.	5, Worcester	98 Mechanic Street, Spencer	At home	139
Golden, Thomas A., Jr.	16, Middlesex	24 Munroe Street, Lowell	At home	17
Haddad, Patricia A.	5, Bristol	2662 Riverside Avenue, Somerset	At home	5
Harrington, Sheila C.	1, Middlesex	21 Overlook Drive, Groton	At home	103
Hecht, Jonathan	29, Middlesex	159 Russell Avenue, Watertown	At home	12
Henriquez, Carlos Tony	5, Suffolk	20 Judson Street, Boston	At home	137

NAME.	District.	Post-office Address.	Residence during the session.	No. of Seat.
Hill, Bradford	4, Essex	16 Birch Lane, Ipswich	At home	25
Hogan, Kate	3, Middlesex	36 Hastings Street, Stow	At home	58
Honan, Kevin G.	17, Suffolk	192 Faneuil Street, Boston	At home	110
Howitt, Steven S.	4, Bristol	425 Pine Street, Seekonk	At home	154
Humason, Donald F., Jr.	4, Hampden	90 Stony Lane, Westfield	At home	72
Hunt, Randy	5, Barnstable	297 Quaker Meetinghouse Road, Sandwich	At home	102
Jones, Bradley H., Jr.	20, Middlesex	249 Park Street, North Reading	At home	8
Kafka, Louis L.	8, Norfolk	P.O. Box 73, Sharon	95 Erin Road, Stoughton	89
Kane, Michael F.	5, Hampden	11 Lynn Ann Drive, Holyoke	At home	21

Kaufman, Jay R.	15, Middlesex	1 Childs Road, Lexington	At home	11
Keenan, John D.	7, Essex	68 Deerborn Street, Salem	At home	43
Khan, Kay	11, Middlesex	18 St. Mary's Street, Newton	At home	57
Kocot, Peter V.	1, Hampshire	30 Drewsen Drive, Northampton	At home	105
Koczera, Robert M.	11, Bristol	119 Jarry Street, New Bedford	At home	116
Koutoujian, Peter J.[1]	10, Middlesex	33 Harris Street, Waltham	At home	146
Kulik, Stephen	1, Franklin	P.O. Box 224, Worthington	50 Thayer Hill Rd., Worthington	53
Kuros, Kevin J.	8, Worcester	18 Yankee's Way, Uxbridge	At home	155
Lawn, John J., Jr.[2]	10, Middlesex	20 Pilgrim Road, Watertown	At home	150

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[1] Resigned January 21, 2011.

[2] Elected May 10, 2011; Qualified May 25, 2011.

NAME.	District.	Post-office Address.	Residence during the session.	No. of Seat.
Levy, Steven L.	4, Middlesex	61 O'Grady Road, Marlborough	At home	130
Lewis, Jason M.	31 Middlesex	61 Church Street, Winchester	At home	148
Linsky, David Paul	5, Middlesex	66 Rathbun Road, Natick	At home	31
Lombardo, Marc T.	22, Middlesex	9 Eubar Circle, Billerica	At home	131
Lyons, James J., Jr.	18, Essex	12 High Vale Lane, Andover	At home	153
Madden, Timothy R	Barnstable, Dukes and Nantucket	19 Wauwinet Road, Nantucket	At home	111
Mahoney, John J.	13, Worcester	138 Newton Avenue North, Worcester	At home	67
Malia, Elizabeth A.	11, Suffolk	72 Child Street, Boston	At home	134
Mariano, Ronald	3, Norfolk	200 Falls Boulevard, Unit F-301, Quincy	At home	7

Mark, Paul W.	2, Berkshire	7 Theresa Avenue, Hancock	At home	93
Markey, Christopher M.	9, Bristol	48 William Street, Dartmouth	At home	66
McMurtry, Paul	11, Norfolk	7 South Stone Mill Drive #533, Dedham	At home	83
Miceli, James R.	19, Middlesex	11 Webber Street, Wilmington	At home	14
Michlewicz, Aaron M.	3, Suffolk	32 Fleet Street, Boston	At home	108
Moran, Michael J.	18, Suffolk	67 Burton Street, Boston	At home	79
Murphy, Charles A.	21, Middlesex	19 Sears Street, Burlington	At home	6
Murphy, James M.	4, Norfolk	483 Middle Street, Weymouth	At home	123
Murphy, Kevin J.	18, Middlesex	63 Newbury Street, Lowell	At home	145
Nangle, David M.	17, Middlesex	1285 Lawrence Street, Lowell	At home	85

NAME.	District.	Post-office Address.	Residence during the session.	No. of Seat.
Naughton, Harold P., Jr.	12, Worcester	13 Haskell Avenue, Clinton	At home	113
Nyman, Rhonda L.	5, Plymouth	20 King Phillip Lane, Hanover	At home	114
O'Connell, Shaunna L.	3, Bristol	56 Worcester Street, Taunton	At home	128
O'Day, James J.	14, Worcester	41 Winthrop Street, West Boylston	At home	159 BTR
O'Flaherty, Eugene L.	2, Suffolk	87 Warren Avenue, Chelsea	At home	121
Parisella, Jerald A.	6 Essex	14 Red Rock Lane, Beverly	At home	146
Peake, Sarah K.	4, Barnstable	7 Center Street, Provincetown	At home	157
Pedone, Vincent A.	15, Worcester	P.O. Box 2381, Worcester	18 East Park Terrace, Worcester	160 BTR
Peisch, Alice Hanlon	14, Norfolk	37 Pine Street, Wellesley	At home	71

Peterson, George N., Jr.	9, Worcester	P.O. Box 383, Grafton	8 North Street, Grafton	9
Petrolati, Thomas M.	7, Hampden	106 Stevens Street, Ludlow	At home	63
Pignatelli, William Smitty	4, Berkshire	P.O. Box 2228, Lenox	71 Clifford Street, Lenox	34
Poirier, Elizabeth A.	14, Bristol	53 Ledgebrook Drive, North Attleborough	At home	10
Provost, Denise	27, Middlesex	20 Albion Street, Somerville	At home	81
Puppolo, Angelo J., Jr.	12, Hampden	44 South Shore Drive, Springfield	At home	18
Reinstein, Kathi-Anne	16, Suffolk	5 Ensign Street, Revere	At home	22
Rogers, John H.	12, Norfolk	194 Plantation Circle, Norwood	At home	40
Rosa, Dennis A.	4, Worcester	109 Country Lane, Leominster	At home	36
Ross, George T.	2, Bristol	4 Rock Road, Attleboro	At home	51

NAME.	District.	Post-office Address.	Residence during the session.	No. of Seat.
Rushing, Byron	9, Suffolk	25 Concord Square, Boston	At home	158
Sánchez, Jeffrey	15, Suffolk	41 Malcolm Road, Boston	At home	112
Sannicandro, Tom	7, Middlesex	208 Captain Eames Circle, Ashland	At home	70
Scaccia, Angelo M.	14, Suffolk	59 Readville Street, Boston	At home	120
Scibak, John W.	2, Hampshire	13 Chileab Road, South Hadley	At home	32
Sciortino, Carl M., Jr.	34, Middlesex	17 Orchard Street, Medford	At home	77
Smizik, Frank I.	15, Norfolk	42 Russell Street, Brookline	At home	125
Smola, Todd M.	1, Hampden	128 Bourne Street, Palmer	At home	99
Speliotis, Theodore C.	13, Essex	4 Ardmore Drive, Danvers	At home	149

Speranzo, Christopher N. . . .	3, Berkshire	18 Thomson Place, Pittsfield	At home	44
Spiliotis, Joyce A.	12, Essex	85 Gardner Street, Peabody	At home	16
Stanley, Harriett L.	2, Essex	130 Indian Hill Street, West Newbury	At home	52
Stanley, Thomas M.	9, Middlesex	19 Neighbors Lane, Waltham	At home	126
Story, Ellen	3, Hampshire	16 Emerson Court, Amherst	At home	62
Straus, William M.	10, Bristol	8 Nashawena Road, Mattapoisett	At home	86
Sullivan, David B.	6, Bristol	1015 Madison Street, Fall River	At home	37
Swan, Benjamin	11, Hampden	837 State Street, Springfield	At home	24
Timilty, Walter F.	7, Norfolk	130 Houston Avenue, Milton	At home	55
Toomey, Timothy J., Jr. . . .	26, Middlesex	88 Sixth Street, Cambridge	At home	92

NAME.	District.	Post-office Address.	Residence during the session.	No. of Seat.
Torrisi, David M.	14, Essex	67 Settlers Ridge Road, North Andover	At home	144
Turner, Cleon H.	1, Barnstable	P.O. Box 184, East Dennis,	54 Sea Meadow Drive, Dennis	82
Vallee, James E.	10, Norfolk	2 Ruby Way, Franklin	At home	150
Vieira, David T.	3, Barnstable	P.O. Box 2415, Teaticket	44 Silent Way, Falmouth	151
Wagner, Joseph F.	8, Hampden	131 Edward Street, Chicopee	At home	141
Walsh, Chris	6, Middlesex	113 Pleasant Street, Framingham	At home	76
Walsh, Martin J.	13, Suffolk	12 Tuttle Street, Boston	At home	119
Walsh, Steven M.	11, Essex	8 Spruce Road, Lynn	At home	88
Walz, Martha M.	8, Suffolk	250 Commonwealth Avenue, Boston	At home	78

Webster, Daniel K.	6, Plymouth	8A Packet Landing, Pembroke	At home	27
Winslow, Daniel B.	9, Norfolk	17 Frederickson Road, Norfolk	At home	75
Wolf, Alice K.	25, Middlesex	48 Huron Avenue, Cambridge	At home	4
Wong, Donald H.	9, Essex	53 Juniper Drive, Saugus	At home	49

OFFICERS AND EMPLOYEES OF THE HOUSE OF REPRESENTATIVES

HON. ROBERT A. DELEO, BOSTON, *Speaker.*
Room 355, State House.
STEVEN T. JAMES, WINTHROP, *Clerk.*
Room 145, State House.
SCOTT J. MITCHELL, BURLINGTON, *Assistant Clerk.*
Room 145, State House.
TIMOTHY CARROLL, BOSTON, *Second Assistant Clerk.*
Room 145, State House.
REVEREND ROBERT F. QUINN, BOSTON, *Chaplain.*

Assistants to House Clerk.

WILLIAM H. TIERNEY	Woburn
STEPHEN A. ZERDELIAN	Watertown
MATTHEW P. LANDRY	Walpole
ELIZABETH M. THOMPSON	Clinton
MAUREEN R. HARRIS	Malden
MARIA T. ACERRA	Norwood

COUNSEL to the HOUSE.

(General Laws, Chapter 3, Sections 51-55).

VACANT
Room 139, State House.

Associate Counsels.

ANNE B. O'DRISCOLL, WEYMOUTH
Room 139, State House.

JOANNE F. CAMPO, MILTON,
Room 139, State House.

Assistants to the House Counsel.

M. PAUL IANNUCCILLO, NORTH ANDOVER
Room 139, State House.
TIMOTHY O. WILKERSON, WATERTOWN
Room 139, State House.
JAMES J. MCGLYNN, QUINCY
Room 139, State House.
ANTONETTA DIGUSTINI, Boston, *Clerk of the House Committee on Bills in the Third Reading*
Room 139, State House.
DOLORES C. HAYES, ANDOVER, *Office Manager*
Room 139, State House.

ASSISTANTS TO THE SPEAKER.

Chief of Staff to the Speaker of the House
JAMES EISENBERG, Melrose
Room 356, State House.

Deputy Chief of Staff, Legislative Director
TOBY MORELLI, Saugus
Room 356, State House.

SERGEANT-AT-ARMS AND APPOINTEES

Sergeant-at-Arms
Room 10, State House.

Appointees

Assistant Sergeant-at-Arms — Alice Fitzmaurice.
Chief Administrative Voucher Examiner — Karen Johnson.

Assigned to Senate

Assistant Sergeant-at-Arms-Chief Court Officer — Paul Dooley.
Assistant Chief Court Officers — Benjamin Hubbart.
General Court Officers — Thomas McDonough, Joseph O'Donnell, Christine Gonzalez, Keri Buckley, Michael Pano.
Legislative Postmaster — Angel Rosa, Director.
Assistant Legislative Postmaster — Daniel S. Elio.

Assigned to the House of Representatives

Sergeant-at-Arms on the part of the House — Raymond J. Amaru.
Assistant Sergeant-at-Arms-Chief Court Officer — Eugene F. DiPersio.
Assistant Chief Court Officers — William Petrigno, Odell Ruffin, Joseph A. Quinn, Lewis E. Hinkley, Joseph Carr.
General Court Officers —Tina Abate, Katherine Adams, Anthony Viveiros, Richard Buividas, Mark Iannacco, Thomas Joyce, Michael Magner, Robert O'Rourke, Daniel Petrigno.
Assistant Legislative Postmaster — Philip Hawko.
Porter / Messenger — Michael Izzo.

RULES OF THE SENATE

RULES OF THE SENATE

[As adopted by the Senate on January 20, 2011]

[The dates under each rule indicate when the rule and its amendments were adopted.]

[The date 1817 denotes the time when the several rules against which it is placed were first preserved. Previously to that year these rules are not to be found, although from the Senate Journal it appears that they were printed.]

THE PRESIDENT.

1. The President shall take the chair at the hour to which the Senate stands adjourned, shall call the members to order, and, on the appearance of a quorum, shall proceed to business. [1831; 1888.]

1A. Every formal session of the Senate shall open with a prayer and a recitation of the "Pledge of Allegiance to the Flag". [1989.]

2. The President shall preserve order and decorum, may speak to points of order in preference to other members, and shall decide all questions of order subject to an appeal to the Senate. The President shall rise to put a question, or to address the Senate, but may read sitting. [1817; between 1821 and 1826; 1831; 1888.]

3. The President may vote on all questions. [1826.]

4. The President may appoint a member to perform the duties of the chair for a period not exceeding 3 days at any one time. Unless the Senate shall otherwise direct, the President, at the beginning of each legislative year, may appoint a Chaplain and in case of vacancy in said office, the President may promptly fill said vacancy. [1831; 1862; 1865; 1888; 1971.]

4A. The Senate President shall be elected by roll call on the Senate floor. This rule shall not be suspended except by a vote of four-fifths of the members present and voting thereon. Rule 63 shall not apply to this case and no other rule shall supersede the requirement of four-fifths vote to suspend this rule. [1993; 2002.]

4B. The Senate President and the Minority Leader shall, upon declaration of candidacy for any other state or federal elective office, relinquish said position. [2003.]

5. In case of a vacancy in the office of President, or in case the President, or the member appointed by the President to perform the duties of the chair, is absent at the hour to which the Senate stands adjourned, the eldest senior member present shall call the Senate to order, and shall preside until a President, or Acting President, is elected by ballot or by roll call vote as the Senate shall by majority vote determine, and such election shall be the first business in order. [1831; 1885; 1888; 1971; 1985; 2003.]

5A. In case of extreme emergency, the President of the Senate, may for a period not exceeding 2 days, in conformity with Article 6, Section II, Chapter 1 of the Constitution, cause a session of the Senate to be cancelled. Each member of the Senate insofar as is practicable shall be notified of such action. The President may also declare a session informal in nature, with prior notice given. Notice of such action shall be printed in the Journal of the Senate by the Clerk of the Senate and the printing of a calendar shall be suspended with reference to an informal session under this rule.

In the case of an informal session, only reports of committees and matters not giving rise to formal motion or debate shall be considered. No motion or order of business shall lose its precedence but shall be carried over until the next formal session. [1971; 1973.]

5B. [Omitted in 2011.]

5C. Upon a vacancy in the Senate, with the exception of any vacancy that occurs after April 1 in an even-numbered year, a date for a special election shall be rescheduled by the President of the Senate within 20 days after the vacancy occurs and the proposed date of the special election shall then be put before the members of the Senate for a vote. [2011]

CLERK.

6. The Clerk shall keep a journal of the proceedings of the Senate, and shall cause the same to be presented daily. The Clerk shall, in the journal, make note of all questions of order, and enter at length the decisions thereon. The Clerk shall insert in an appendix to the journal the rules of the Senate and the joint rules of the 2 branches. [1882; 1888.]

7. The Clerk, with the approval and direction of the President and the Committee on Ethics and Rules, shall prepare and cause to be presented each day a calendar of matters in order for consideration. The calendar for a session shall be available to the members and the public at least 24 hours prior to the start of that session, except when formal sessions are held on consecutive days. The calendar for any formal session on a day following a formal session shall be available to the members and to the public at least 2 hours prior to the start of that session. The presentation of a calendar may only be suspended by a 2/3 vote of all members present and voting as determined by a call of the yeas and nays. The calendar shall consist of at least 4 separate sections. One section shall contain those matters for third reading and engrossment. No matters shall be considered for third reading that do not appear on this section of the calendar without unanimous consent. One section shall contain those matters held by the Senate committee on Bills in the Third Reading. One section shall contain those matters appearing on the Senate Calendar for the first time. No matters shall be considered for second reading that do not appear on this section of the calendar without unanimous consent. One section shall contain those matters which shall be on the Senate Calendar for the first time at the following formal session. No matters shall be considered for a second reading at a formal session that were not on the Calendar for the previous formal session. It shall be mandatory, however, that a bill or resolve ordered to third reading on one calendar day shall appear on the calendar at the following formal session. The Clerk, with the approval and direction of the President and the Committee on Ethics and Rules, may prepare the calendar, with such memoranda as the Clerk may deem necessary, in a form designed to provide complete information and to properly facilitate the business of the Senate. When the presentation of the calendar required under this rule is suspended under Rule 5A, a session shall be considered informal and no matter shall be considered if a member at said session objects to its consideration. [1882; 1888; 1945; 1971; 1974; 1985; 1991, 1993.]

7A. To better facilitate the business of the Senate, whenever possible, and notwithstanding any rules to the contrary, during consideration of the new matters on the calendar each day, the chair shall first declare a recess so that members may examine the items. The chair shall then ask for passes on the second reading matters. Second reading matters with amendments pending will automatically be considered separately. The chair shall direct the Clerk to dispense with the reading of each title, but the journal for that day shall show that the bills have been read a second time. The question shall then come on ordering those second reading matters which have not been passed for debate to a third reading. Matters passed for debate shall be considered on the second call.

The same procedure shall be followed with relation to adverse reports appearing in groups on the calendar. Adverse reports passed for debate shall be considered on the second call. The question shall be put by the chair on the acceptance of all remaining adverse reports not passed for debate. [1975.]

7B. The Clerk of the Senate shall be the official parliamentarian of the Senate. [1973.]

8. [Omitted in 1969.]

8A. The Clerk shall make a reasonable effort to make available on the official website of the General Court the results of all roll call votes not later than 48 hours after such vote is taken, not including quorum calls, in a manner easily identifiable, searchable and conspicuously located. The Clerk shall include the number of the roll call and the title of the matter voted upon. This rule shall take effect not later than July 1, 2011 and shall apply to all roll call votes conducted during the 2011-2012 legislative session. [2007; 2011.]

9. When a bill or resolve coming from the other branch does not appear in the form in which it was passed in that branch, the Clerk shall indicate the amendments on the Orders of the Day. [1882.]

COUNSEL TO THE SENATE.

9A. The Counsel to the Senate and members of the staff of said Counsel shall not engage in the private practice of law during ordinary business hours while the Senate is in session. The Counsel to the Senate and the staff of said Counsel shall be available at all times for consultation with the President and members of the Senate in relation to matters pending before the Senate. [1976.]

MEMBERS OF THE SENATE.

10. No member, officer, or employee shall use or attempt to use improper means to influence an agency, board, authority, or commission of the Commonwealth or any political subdivision of the Commonwealth. No member, officer, or employee of the Senate shall receive compensation or permit compensation to accrue to the member, officer or employee's beneficial interest by virtue of influence improperly exerted from the member, officer or employee's position in the Senate. Every reasonable effort shall be made to avoid situations where it might appear that the member, officer or employee is making such use of the member, officer or employee's official position. Members, officers, and employees should avoid accepting or retaining an economic interest or opportunity which represents a threat to their independence of judgment.

No member, officer, or employee shall use confidential information gained in the course of or by reason of the member, officer or employee's official position or activities to further the member, officer or employee's financial interest or those of any other person. [1977.]

10A. No member, officer, or employee shall employ anyone from state funds who does not perform tasks which contribute to the work of the Senate and which are commensurate with the compensation received; and no officer or full time employee of the Senate shall engage in any outside business activity during regular business hours, whether the Senate is in session or not. No member of the Senate shall act on a matter before a committee or vote on any question in which the member's private right is immediately concerned, distinct from the public interest. All employees of the Senate are assumed to be full time unless their personnel record indicates otherwise. [1977.]

10B. Interns and other temporary employees of the Senate, who are students at an accredited educational institution and who are employed by the Senate for not more than 6 months, may receive compensation from an educational institution or other non-profit organization under section 501(c)(3) of the Internal Revenue Code, according to that organization's regular program of providing such compensation for temporary governmental or public service employment. A temporary employee's Senate supervisor shall establish the employee's total compensation, shall verify that the sum of the employee's state compensation, if any, and any outside compensation that the employee is to receive under this rule would not exceed this total compensation, and shall file the written terms of the employee's compensation with the Senate Personnel Office, where it shall be available for public inspection. [2003.]

11. No member shall be absent from the Senate without leave, unless there is a quorum without the member's presence. [1817.]

11A. Each member of the Senate shall be assigned an office in the State House. Each member shall have full authority to employ and dismiss personal and committee staff within written guidelines developed by the Senate Committee on Ethics and Rules. [1983; 1985; 1993; 2003.]

11B. No member of the Senate shall hold, for more than 8 consecutive years, the office of President of the Senate. [1993; 2001.]

11C. The Committee on Ethics and Rules shall ensure that each member of the Senate is able to receive Internet electronic mail from members of the public. [2001; 2003.]

11D. The Committee on Ethics and Rules shall sponsor ethics training for members and staff within 90 days of the opening of the biennial session. [2009.]

COMMITTEES.

12. The following standing committees shall be appointed by the President, to wit:

A Committee on Bills in the Third Reading;
    To consist of 5 members, 1 of whom shall be appointed by the Minority Leader.
A Committee on Bonding, Capital Expenditures and State Assets;
    To consist of 6 members, 1 of whom shall be appointed by the Minority Leader.
A Committee on Post Audit and Oversight;
    To consist of 7 members, 1 of whom shall be appointed by the Minority Leader.
A Committee on Ethics and Rules;
    To consist of 6 members, including 2 members appointed by the Minority Leader.
A Committee on Global Warming and Climate Change;
    To consist of 6 members, 1 of whom shall be appointed by the Minority Leader.
A Committee on Steering and Policy;
    To consist of 5 members, 1 of whom shall be appointed by the Minority Leader.
A Committee on Ways and Means;

To consist of 17 members, including 2 members appointed by the Minority Leader.

Committee hearings and executive sessions shall not be scheduled in conflict with formal sessions of the Senate unless the chair submits to the Clerk a written explanation for scheduling the hearing or session in conflict with the formal session. [1831; 1836; 1840; 1844; 1847; 1863; 1864; 1870; 1876; 1882; 1885; 1886; 1888; 1891; 1896; 1897; 1920; 1937; 1939; 1941; 1945; 1946; 1957; 1960; 1963; 1965; 1969; 1971; 1972; 1982; 1989; 1991; 1993; 1995, 1997; 2003, 2005; 2007; 2009; 2011.]

12A. All violations of Rules and all questions of conduct of members, officers and employees of the Senate shall be referred by order of the Senate to the committee on Ethics and Rules. Such orders shall be as specific as circumstances allow. The committee shall also be empowered to receive sworn written complaints or evidence regarding violations of Rules 10 and 10A. Until a hearing, if any, is held, the contents of such complaints or evidence shall be considered confidential information, unless the contents are already a matter of public record. If no hearing is held, such contents may be made public by the committee in a final report. Breach of confidentiality may itself be grounds for disciplinary action.

Upon receipt of an order, a sworn written complaint filed under penalties of perjury, or upon receipt of evidence, the committee may investigate and take written or oral testimony on any matters specified in the order or covered by Rules 10 and 10A. A majority of committee members shall be present to receive sworn testimony unless a majority designates a lesser number to do so. In any case, at least 1 member of the committee shall be present to receive such testimony. Upon majority vote of the full Senate, the committee may require by summons the attendance and testimony of witnesses and the production of books and papers and such other records as said committee may deem relevant.

Said committee shall consider and may report to the Senate any recommendations regarding any infringement of the rules and all questions of conduct of members, officers and employees referred to it. If after investigation the committee determines that there has been a violation of the rules, or other misconduct, the committee shall file a report with the Clerk of the Senate, including a recommendation for disciplinary action, including but not limited to: in the case of a member, reprimand, censure, temporary or permanent removal from committee chairmanship or other position of authority, suspension with or without pay, or expulsion; in the case of an officer or employee, reprimand, suspension or removal. Said report shall not prevent the Senate from taking any other action as it shall deem advisable and appropriate.

Nothing in this rule shall be construed to require the disclosure of any allegation that the committee deems frivolous or without merit.

If the committee receives a sworn written complaint, evidence, order of the Senate, or request for an opinion involving a member of the committee, such member shall not participate in the committee's deliberations on that matter.

The committee may, upon written request from a member, officer, or employee of the Senate, issue written advisory opinions on matters concerning Rules 10 and 10A. Such advisory opinions may be published, provided that the name of the person requesting the opinion, and any other identifying information shall not be included in the publication. The Senate may not penalize a member, officer or employee of the Senate for conduct satisfying the guidelines of an advisory opinion based on factually indistinguishable conduct.

At least 3 members shall sign all recommendations and reports of the committee.

The committee shall on or before December 31 of the second year of the biennial session, file a report with the Clerk summarizing its activities for the session. In addition, the committee may at any time recommend changes in the rules of conduct for the Senate or legislation relating to the conduct of the Senate, and a majority vote of the Senate shall be required to approve any such recommended changes. [1977; 1978; 1983; 1991; 2003.]

12B. The committee on Steering and Policy shall meet from time to time at the call of the chair for the purpose of assisting the President and the Senate in identifying the major matters which require consideration by the General Court during the pending session and to advise the President and the Senate on the relative priority of such matters, the relative urgency for consideration by the General Court of such matters, and alternative methods of responding to such matters by the General Court, and to assist on scheduling legislative matters for their even distribution throughout the legislative year. [2009].

12B ½ . The Committee on Ethics and Rules may initiate legislation consistent with Senate Rule 19, but no bill shall be initiated over the objection of the Senate Chair of the appropriate committee. The Committee shall report on what date prior to adjournment of the last formal session the matter shall be considered by the Senate. In the case of bills removed from study and referred to the Committee on Ethics and Rules, the bills may be subject to amendments by the committee as well as reports by the committee that the bills ought to pass or ought not to pass. This rule shall apply only to bills that have no state fiscal impact. [1983; 1985; 1986; 1991; 1993; 1999; 2003; 2005.]

12C. [Omitted in 1995.]

12D. The President of the Senate, the Majority leader and the Minority leader shall review applications for each member's staff and committee operating requirements and allocate office space. [1993; 2003.]

13. (a) Unless the Senate shall otherwise specially order, the President shall nominate a candidate for chair of each standing committee, joint standing committee or special committee and the vice-chair and the assistant vice-chair of the Senate Committee on Ways and Means. The President may also nominate the majority floor leader, assistant majority floor leader, majority whip, the assistant majority whip and a President pro tempore. The President pro tempore shall assist the President in the coordination of policy development and the ceremonial functions of the Senate and shall perform such duties as assigned by the President. The minority party floor leader may nominate not more than 3 persons to minority party floor leadership positions. Such nominations shall require ratification by a majority vote by the respective party caucus. The vote shall be by voice vote, roll call or secret ballot, as the majority vote of the caucus shall determine. In the event a nomination is rejected by such caucus another nomination may be made by the person designated in this rule to make the initial nomination which shall be subject to ratification in the same manner. In the case of the election by the Senate of a committee by ballot, the member having the highest number of votes shall act as chairman. The second named member shall be vice-chairman.

(b) Except as provided above or unless the Senate shall otherwise specially order, committees shall be appointed by the President, with exception of the chair whose nomination and ratification shall be governed by paragraph (a). The President shall in making such appointments give consideration to representation of both the majority and minority parties relative to their respective representation in the Senate and in any event shall reserve at least 2 positions on the Senate Committee on Ways and Means and at least 1 position upon each standing or special committee for a Senate member of the minority party and appointments to such positions shall be made by the Senate minority party leader. For the purposes of this rule and rule 56, the term "minority party" shall mean the political party of those members of the Senate who, in the aggregate, constitute the second largest group of members of the Senate affiliated with a political party.

(c) A vacancy in any position which is regulated by this rule shall be filled in the same manner as provided in this rule for the original appointment. Any person in a position which is regulated by this rule shall be subject to removal only by a majority vote of the respective party caucus by voice vote, roll call or secret ballot as the majority vote of the caucus shall determine. [1817; between 1821 and 1826; 1831; 1888; 1973; 1983; 1985; 1991; 2003.]

13A. All motions or orders authorizing committees of the Senate to travel or to employ stenographers, all propositions involving special investigations by committees of the Senate and all motions or orders providing that information be transmitted to the Senate shall be referred without debate to the Committee on Ethics and Rules, who shall report thereon, recommending what action should be taken. All other motions that create main questions, except those that relate to privilege, to procedure and kindred matters, or to the subjects referred to in Joint Rules 29 and 30, shall also be referred without debate to the Committee on Ethics and Rules and be treated in like manner.

The Committee on Ethics and Rules may originate and report special orders for the scheduling and consideration of matters on the floor of the Senate. When reported such orders may be amended by a two-thirds vote of the members present and voting, and shall be subject to approval by a majority of the members of the Senate present and voting. Debate on the question on adoption of such orders shall be limited to 30 minutes. Such orders shall not be subject to reconsideration. [1904; 1913; 1921; 1953; 2003.]

13B. The President of the Senate may call a caucus at any time at which either the President or a designated member of the majority leadership shall preside unless otherwise voted by a majority of the caucus. The President shall honor the request of the Minority Leader at any time while the Senate is in session, to call a minority caucus at which the Minority

Leader shall preside or a designated member of the minority leadership, unless otherwise voted by a majority of the caucus

A caucus shall also be called if 25 per cent or more of a party's membership requests the calling of a caucus. Such request shall be made to the Senate President or Minority Leader. In the instance of such a caucus being called, said caucus may consider any subject matter, including but not limited to resolutions, motions or other means of ascertaining the sense of party members on any subject. When the Senate recesses to allow a caucus, the Senate President or presiding officer shall inform the members from the rostrum of a time certain for reconvention. [1985; 1993.]

13C. The Senate Committee on Ethics and Rules shall provide for periodic audits of Senate financial accounts to be conducted by a certified public accountant experienced in auditing governmental entities. A copy of any such audit shall be filed with the Senate Clerk and copies shall be made available upon request by any member of the Senate or the general public. [1985; 2003.]

14. No committee shall be allowed to occupy the Senate Chamber without a vote of the Senate. [1836; 1863; 1888.]

15. No legislation affecting the rights of individuals or the rights of a private or municipal corporation, otherwise than as it affects generally the people of the whole Commonwealth or the people of the city or town to which it specifically applies, shall be proposed or introduced except by a petition, nor shall any bill or resolve embodying such legislation be reported by a committee, except upon a petition duly referred, nor shall such a bill or resolve be reported by a committee, whether on an original reference or on a recommittal with instructions to hear the parties, until it is made to appear to the satisfaction of the committee that proper notice of the proposed legislation has been given by public advertisement or otherwise to all parties interested, without expense to the Commonwealth, or until evidence satisfactory to the committee is produced that all parties interested have in writing waived notice. A committee reporting adversely for want of proper notice or of a waiver thereof shall set forth this fact in its report, and no bill or resolve shall be in order as a substitute for, or amendment of, such report. Objection to the violation of this rule may be taken at any stage prior to that of third reading. [1870; 1871; 1885; 1890; 1921; 1939; 1945; 1971.]

16. When the object of an application, by petition can be secured under existing laws, or, without detriment to the public interests, by a general law, the committee to whom the matter is referred shall report, ought not to pass, or a general law, as the case may be. The committee may report a special law on matters referred to it upon (1) a petition filed or approved by the voters of a city or town, or the mayor and city council, or other legislative body, of a city, or the town meeting of a town, with respect to a law relating to that city or town; (2) a recommendation by the Governor; and (3) matters relating to erecting and constituting metropolitan or regional entities, embracing any 2 or more cities and towns, or establishing with other than existing city or town boundaries, for any general or special public purpose or purposes. [1882; 1885; 1888; 1891; 1893; 1967; 1971; 1973.]

16A. Reports of committees recommending that a matter be placed in a study shall be reported to the Senate if the matter being reported into a study was originally filed in the Senate. Matters which have been recommitted to a committee in session shall be reported to the branch originating the recommitment. [2002.]

FORMS OF BILLS AND RESOLVES.

17. Bills, resolves, resolutions and orders shall be prepared under supervision of the Counsel to the Senate. Bills, resolves, resolutions and orders founded upon petition shall be presented in an electronic format as prescribed by the Clerk, who shall then prepare such electronically filed documents for printing on official paper. Any petition which presents a bill, resolve, resolution or order that was before the General Court in the legislative session preceding that for which it is presented shall be designated as a "refiled petition" by the presenting member, together with reference to the number assigned such matter in the preceding legislative session. Bills amending existing laws shall not provide for striking words from, or inserting words in, such laws, unless such course is the best calculated to show clearly the subject and nature of the amendment. No repealed law and no law which has expired by limitation, and no part of any such law, shall be re-enacted by reference merely. [1844; 1857; 1880; 1882; 1885; 1888; 1889; 1947; 1972; 1985, 2001, 2006.]

INTRODUCTION OF BUSINESS.

18. Every petition (excepting as otherwise provided for in the Constitution, or laws of the Commonwealth), shall be presented by a member, whose name shall be endorsed on the petition, and a brief statement of the nature and object of the instrument; and the reading of this instrument shall be dispensed with, unless specially ordered. [1831; 1888; 1972; 1973.]

18A. In the event that identical legislation is filed based upon petition, by members of the Senate, the Clerk of the Senate may make every effort to consolidate the petitions.

The Clerk shall include the name of each petitioner; such names shall be placed on the consolidated petition in the order in which the original petitions were filed with the Clerk. [1984.]

19. All motions contemplating legislation shall be founded upon petition, except as provided in Joint Rule 3A and except that the committee on Ways and Means and the Committee on Ethics and Rules under Rule 12B may report a bill or other form of legislation that is not founded upon petition. Committees to whom messages from the Governor, reports of state officers, boards, commissions, and others authorized to report to the legislature shall be referred, may report by bill or otherwise such legislation as may be germane to the subject-matter referred to them. [1858; 1888; 1891; 1893; 1973; 1999; 2003; 2005.]

20. All petitions for legislation accompanied by bills or resolves embodying the subject-matter prayed for, which are intended for presentation or introduction to the Senate, reports of state officials, departments, commissions and boards, and reports of special committees and commissions shall be filed with the Clerk, who shall, unless they are subject to other rules or of the rules of the 2 branches, refer them, with the approval and direction of the President, to the appropriate committees, subject to such change of reference as the Senate may make.

Provided, that petitions and other papers so filed, or papers received from the House, which are subject to Joint Rules 7A, 7B or 9, shall be referred by the Clerk to the Committee on Ethics and Rules. Petitions and other papers so filed which are subject to the second paragraph of Joint Rule 12 shall be referred by the Clerk to the Committees on Rules of the two branches, acting concurrently. The reading of all such documents may be dispensed with, but they shall be entered in the journal of the same or the next legislative day after such reference, except as provided in Joint Rule 13.

All orders intended for adoption shall be deposited with the Clerk. If the orders relate to questions of privilege or to procedure and kindred matters, they shall be laid before the Senate by the President as soon as possible. If they relate to other subjects, except as provided in rule 13A or in Joint Rules 29 and 30, they shall be inspected by the Committee on Ethics and Rules and laid before the Senate not later than the fourth legislative day succeeding the day of their deposit with the committee.

All resolutions intended for adoption shall be filed with the Clerk. Resolutions, which are not reported by committee or received from the House, shall be considered forthwith after having been reported by the committee on Bills in the Third Reading, under Senate Rule 33.

Special reports of state officials, departments, commissions and boards, reports of special committees and commissions, bills and resolves accompanying petitions and reports, and resolutions, shall be printed on order of the President, and under the direction of the Clerk. They shall retain, during all subsequent stages, their original numbers and shall also bear such new numbers as may be necessary.

Matters which have been placed on file may be taken from the files by the Clerk upon request of any Senator or Senator-elect; and matters so taken from the files shall be referred or otherwise disposed of as provided for above.

The Senate may at any time by order make any other disposition of petitions in the hands of the Clerk. [1891; 1893; 1894; 1916; 1921; 1925; 1927; 1933; 1939; 1945; 1953; 1963; 1967; 1971; 1973; 1985; 1999; 2003; 2005.]

20A. The Clerk shall make available on the Internet the text of all bills introduced in the Senate. [2001.]

21. [Omitted in 1943.]

22. [Omitted in 1949.]

23. No bill or resolve shall be proposed or introduced unless received from the House of Representatives, reported by a committee, or moved as an amendment to the report of a committee. [1881; 1882; 1888.]

24. The consideration of any order proposed for adoption, or of any motion to suspend Senate Rule 15, or Joint Rules 8, 9 or 12, shall be postponed without question to the day after that on which the order is proposed or request made, if any member asks such postponement. The consideration of any motion to lay a matter on the table or to take a matter from the table shall be postponed without question to the day after that on which the motion is made (except during the last 7 calendar days of formal business under Joint Rule 12A). [1885; 1891; 1971; 1973; 1983, 1997; 1999.]

25. [Omitted in 1929, the provisions thereof being covered by Joint Rule 9.]

COURSE OF PROCEEDINGS.

26. Bills and resolves from the House, after they are read a first time, shall be referred to a committee of the Senate, unless they have been reported by a joint committee or substituted for the report of a joint committee. Bills and resolves reported in the Senate, and bills and resolves from the House reported by joint committees or substituted for the reports of joint committees shall, after they have been read once, be referred to the Committee on Ethics and Rules, except as otherwise provided by Senate Rule 27. Any matter reported in the Senate or received from the House concerning or restricted to a particular city or town which has received the approval of the voters of the city or town or of the town meeting shall appear on the calendar for the next session for a second reading notwithstanding any other provisions of this rule. Bills introduced by initiative petition, when reported in the Senate or received from the House, shall be referred to the Committee on Ethics and Rules. Resolutions received from the House, or reported in the Senate, shall be referred to the Committee on Ethics and Rules. Bills and Resolves under Senate Rule 27, when reported, shall be referred to the Committee on Ethics and Rules. All reports of the Committee on Ethics and Rules shall be placed in the Orders of the Day for the next session unless such matter is assigned for special consideration by said committee as provided for under Senate Rule 12B. [1825; 1885; 1888; 1890; 1891; 1897; 1945; 1985; 1993; 1999; 2005.]

26A.[Omitted in 2005].

26B. [Omitted in 2005].

26C. There shall be appointed a standing committee on Bonding, Capital Expenditures and State Assets consisting of 6 members. Said committee shall review all legislation providing for the giving, loaning or pledging of the credit of the Commonwealth (see Article LXII of the

Amendments to the Constitution, as amended by Article LXXXIV). Said committee shall be responsible for evaluating such legislation and determining the appropriateness of enacting legislation containing increased bond authorizations for the Commonwealth.

The committee on Bonding, Capital Expenditures and State Assets shall periodically review and hold open public hearings, accepting oral and written testimony on the status of the bonds and notes of the Commonwealth, including: (1) general obligation debt; (2) dedicated income tax debt; and (3) special obligation debt. The committee shall also, in its continuing study of the Commonwealth's bonding practices, review the Commonwealth's liabilities relative to: (a) state-supported debt; (b) state-guaranteed debt; and (c) indirect obligations.

The committee shall consult with the various agencies of the Executive branch and the office of the State Treasurer to project expenditures, availability of funds, the sale of new bonds and the resultant debt obligations, federal reimbursements and other related funding and bonding issues.

The committee on Bonding, Capital Expenditures and State Assets may conduct hearings relative to the statutory authority of the Executive branch and the State Treasurer and the various agencies and authorities of the Commonwealth to issue and sell bonds and notes and to expend capital funds. The committee shall determine whether such laws, administrative regulations and programs are being implemented in accordance with the intent of the General Court. The committee may make recommendations for statutory changes and changes in the Constitution which would grant discretion to the Legislature over the allotment and expenditure of fund authorized by capital appropriations. The committee on Bonding, Capital Expenditures and State Assets may initiate legislation consistent with Senate Rule 19.

The committee on Bonding, Capital Expenditures and State Assets may report to the General Court from time to time on the results of its hearings.

Any bill providing for the giving, loaning or pledging of the credit of the Commonwealth, except for the general appropriations bill or other appropriations bill addressed in Senate Rule 27A, shall, prior to its reference to the committee on Ways and Means, be referred to the committee on Bonding, Capital Expenditures and State Assets for report on its relationship to the finances of the Commonwealth, irrespective of any conflicting committee referral to the House of Representatives.

In compliance with section 38A of chapter 3 of the General Laws, the Committee on Bonding, Capital Expenditures and State Assets shall include with the bill a fiscal note prepared under said section 3A of said chapter 29, showing the estimated cost or the fiscal effect of the proposed legislation if, in the opinion of said committee, such cost exceeds $100,000.

Messages from the Governor setting terms of bonds and notes or for the de-authorization or re-authorization of bonds and notes shall be referred to the committee on Bonding, Capital Expenditures and State Assets.

The Committee on Bonding, Capital Expenditures and State Assets may hold oversight hearings regarding the capital programs of the commonwealth and of any quasi-public entity or independent authority of the commonwealth. If the committee shall deem special studies or investigations to be necessary, it may undertake studies or investigations. [2009]

27. Bills and resolves involving public money, or a grant of public property, unless the subject-matter has been acted upon by the joint Committee on Ways and Means, shall, after the first reading, be referred in course to the Senate Committee on Ways and Means, whose duty it shall be to report on their relation to the finances of the Commonwealth.

Orders reported in the Senate or received from the House involving the expenditure of public money for special committees shall, before the question is taken on the adoption of the order, be referred to the Senate Committee on Ways and Means, whose duty it shall be to report on the order's relation to the finances of the Commonwealth.

Every such bill involving a capital expenditure for new projects, or an appropriation for repairs, or any legislation, the cost of which, in the opinion of the committee, exceeds $100,000, when reported into the Senate by the Committee on Ways and Means, shall be accompanied by a fiscal note indicating the amount of public money which will be required to be expended to carry out the proposed legislation, together with an estimate of the cost of operation and maintenance for the first year if a new project is involved.

When requested by any member, prior to the engrossment of any such bill involving a capital expenditure for new projects, or an appropriation for repairs, or any legislation, the cost of which, in the opinion of the committee, can be ascertained in a timely manner, and which exceeds $100,000, the chairman of the Committee on Ways and Means, or a member of said committee, shall verbally disclose during session the amount of public money which will be required to be expended to carry out the proposed legislation, together with an estimate of the cost of operation and maintenance for the first year if a new project is involved. [1871; 1882; 1887; 1888; 1889; 1896; 1921; 1941; 1946; 1947; 1953; 1963; 1967; 1968; 1971; 1995; 1999.]

27A. When the general appropriations bill is reported by the Senate Committee on Ways and Means the following information shall be made available:- (a) a prior year's appropriation, (b) the recommendation, if any, of the Governor, (c) the amount approved by the House, and (d) the amount recommended by the Senate Committee on Ways and Means. The committee shall identify with its recommendations for the general appropriations bill all of the tax and non-tax revenues on which its spending recommendations are premised. The committee shall present these revenues by type and by the department or agency responsible for collecting them.

The committee on Ways and Means shall provide the membership with a copy of its proposed text of the general appropriations bill, and an executive summary which shall include a list of outside sections, and a short summary of each outside section not later than the fifth business day prior to full Senate consideration of such bill. When the Senate considers the general appropriation bill, the bill shall appear in the Orders of the Day for its second-reading. All amendments to the Ways and Means proposed text shall be second-reading amendments, but further amendments in the third-degree to such amendments shall be in order. After the bill as amended is ordered to a third reading, it shall be read a third time and the question shall then immediately be on passing it to be engrossed. No amendments shall be in order at the third reading of the bill unless recommended by the committee on Bills in the Third Reading. Each member shall file any proposed amendments, including those relating to outside sections, electronically in a form determined by the Clerk, by the time established for that purpose by order of the Senate. Each amendment shall contain a 1-sentence descriptive title. The Clerk shall make a list of amendments available to the membership at least 24 hours prior to consideration of such bill. Such list shall identify the member sponsoring the amendment and include the 1-sentence descriptive title. The sponsoring member of an amendment, including further amendments in the third-degree, shall make available at such member's office a copy and a detailed summary of the amendment. The Clerk shall make available on the Internet the text of all amendments, including further amendments in the third-degree to such amendments.

The committee on Ways and Means shall provide the membership with a copy of its proposed text of any other appropriations bill, and an executive summary which shall include a list of outside sections, and a short summary of each outside section not later than the fourth business day prior to full Senate consideration of such bill. When the Senate considers such an appropriation bill, the Ways and Means proposed text shall be adopted and the bill shall be ordered to a third reading without other amendments. The bill shall be immediately read a third time and then be open to other amendments. Each member shall file any proposed amendments, including those relating to outside sections, with the Clerk not later than 5:00 p.m. of the third business day before Senate consideration of the bill. Each amendment shall contain a 1-sentence descriptive title. The Clerk shall make a list of amendments available to the membership at least 24 hours prior to the consideration of such bill. Such list shall identify the member sponsoring the amendment and include the 1-sentence descriptive title. The sponsoring member shall make available at such member's office a copy and a detailed summary of the amendment.

A member may withdraw an amendment to an appropriation bill after filing it, or may replace a seasonably filed amendment with a redrafted amendment, which shall be clearly designated as such.

This rule shall not be rescinded, amended or suspended, unless four-fifths of the members present consent thereto. [1974; 1993; 1997; 1999, 2001.]

27B. [Omitted in 1999.]

27C. With the exception of appropriation bills and capital outlay bills, the Committee on Ways and Means and the Committee on Ethics and Rules may be discharged from the further consideration of matters referred to them under the following procedure. The consideration of a motion to discharge such committees from further consideration of a certain matter shall be postponed without question to the day after that on which the motion is made. Such motion shall require a majority vote of the members present and voting for adoption, if made after the expiration of 45 calendar days after referral to said committees, but shall require a vote of two-thirds of the members present and voting, if made prior to the expiration of said 45 calendar days after referral to said committees. On the motion to discharge such committees, not more than 15 minutes shall be allowed for debate, and no member shall speak more than 3 minutes.

In addition to the above procedure, the Committee on Ways and Means shall be discharged from further consideration of a certain matter upon the written petition of a majority of the members of such committee presented to the chairman after 45 calendar days following referral of the matter to said committee. When directed to discharge a certain matter under this rule said committees shall either report or be discharged of said matter within 5 legislative days of the vote or petition calling for such discharge. A petition discharged under this rule shall be considered as favorably reported and the matter accompanying said petition shall be designated as "discharged", and shall be placed in the Orders of the Day for the next day for a second reading or question on adoption, as the case may be, unless subject to Senate Rule 27. [1983; 1985; 2003.]

28. No bill or resolve shall pass to be engrossed without 3 readings on 3 several days. [1817; 1836; 1841; 1859; 1878; 1881; 1882; 1885.]

29. Bills and resolves, in their several readings, and resolutions, shall be read by their titles, unless objection is made. [1817; 1836; 1841; 1859; 1878; 1881; 1882; 1885; 1890.]

30. If a committee to whom a bill or resolve is referred reports that the same ought not to pass, the question shall be "Shall this bill (or resolve) be rejected?" If the rejection is negatived, the bill or resolve, if it has been read but once, shall go to its second reading without a question; and if it has been read more than once it shall be placed in the Orders of the Day for the next day, pending the question on ordering to a third reading, or engrossment, as the case may be. [1817; 1836; 1841; 1859; 1878; 1881; 1882; 1885; 1897; 1921; 1939; 1945; 1971.]

31. If an amendment is offered by any member at the second or third reading of a bill or resolve, substantially changing the greater part of the bill or resolve, the question shall not be put forthwith on adopting the amendment to the bill or resolve if formally requested by 2 members, but the bill or resolve shall be laid over and placed in the Orders of the Day for the next day after that on which the amendment is offered, with the amendment pending. The proposed amendment shall be printed in the calendar and in the journal. If an amendment is made at the second or third reading of a bill or resolve substantially changing the greater part of the bill or resolve, the question shall not be put forthwith on ordering the bill or resolve to a third reading or to be engrossed, as the case may be, but the bill or resolve, as amended, shall be placed in the Orders of the Day for the next day after that on which the amendment is made, and shall then be open to further amendment before such question is put. In like manner, when an amendment is made in any proposition of such a nature as to change its character, as from a bill to an order, or the like, the proposition as amended shall be placed in the Orders of the Day for the next day after that on which the amendment was made. [1882; 1888; 1971.]

31A. Upon recommendation of the Committee on Ethics and Rules, the Senate may by order require that all amendments to a designated bill be filed with the Clerk not later than 1 day before consideration of the bill by the Senate. Such amendments shall be presented in the calendar and shall not be subject to Rule 31. [1997; 2003.]

32. Bills or resolves ordered to a third reading shall be placed in the Orders of the Day for the next day for such reading. [1817; 1836; 1841; 1859; 1878; 1881; 1882; 1885.]

32A. (1) The Senate Committee on Bills in the Third Reading may be discharged from the further consideration of matters referred to it pursuant to the following procedure:

(a) The consideration of a motion to discharge said committee from further consideration of a certain matter shall be postponed without question to the day after that on which the motion is made.

(b) The adoption of such motion shall require a simple majority vote of the members present and voting.

(2) The Senate Committee on Ethics and Rules may be discharged from the further consideration of matters referred to it under Rule 26, pursuant to the following procedure:

(a) The consideration of a motion to discharge said committee from further consideration of a certain matter shall be postponed without question to the day after that on which the motion is made.

(b) Such motion shall require a majority vote of the members present and voting for adoption if made after the expiration of 30 calendar days after referral to said committee, but shall require a vote of two-thirds of the members present and voting if made prior to the expiration of said 30 calendar days after referral to said committee.

(3) When either committee is directed to discharge a certain matter pursuant to this rule, such committee shall either report or be discharged of said matter within 5 legislative days of the vote calling for such dis-

charge. A matter discharged under this rule shall be designated as "discharged" and the matter shall be placed in the Orders of the Day for the next sitting. On the motion to discharge such committee, not more than 15 minutes shall be allowed for debate and no member shall speak more than 3 minutes. [1985; 1987; 1989; 1993; 1995; 2005.]

32B. [Omitted in 1995.]

33. Bills and resolves when ordered to a third reading, and bills and resolves amended subsequently to their third reading unless the amendment was reported by the Committee on Bills in the Third Reading, shall be referred forthwith to that committee, which shall examine and correct them, to avoid repetitions and unconstitutional provisions, and to ensure accuracy in the text and references, and consistency with the language of existing statutes, and to give effect to section 52 of chapter 3 of the General Laws; but any change in the sense of legal effect, or any material change in construction shall be reported to the Senate as an amendment. The committee may consolidate into 1 bill any 2 or more related bills referred to it, whenever legislation may be simplified by such consolidation. Resolutions received from and adopted by the House or introduced or reported into the Senate, after they are read and before they are adopted, and amendments of bills, resolves and resolutions adopted by the House and sent to the Senate for concurrence, shall also be referred, in like manner, to the Committee on Bills in the Third Reading. When a bill, resolve or resolution has been so referred, no further action shall be taken until the committee has reported on the bill, resolve or resolution. If a bill or resolve referred to the Committee on Bills in the Third Reading contains an emergency preamble, changes the compensation paid to the members of the General Court, provides for the borrowing of money by the Commonwealth and comes within Section 3 of Article LXII of the Amendments to the Constitution, provides for the giving, loaning or pledging of the credit of the Commonwealth and comes within Section 1 of Article LXII (as amended by Article LXXXIV) of the Amendments to the Constitution, or provides, upon recommendation of the Governor, for a special law relating to an individual city or town and comes within clause (2) of Section 8 of Article LXXXIX of the Amendments to the Constitution, the committee shall plainly indicate the fact. [1817; 1836; 1882; 1888; 1890; 1891; 1914; 1919; 1925; 1927; 1929; 1945; 1965; 1967; 1983.]

33A. All legislative matters receiving a Senate number shall be presented and made available to all the members of the Senate and to the public at least 24 hours in advance of consideration by the Senate.

All other amendments recommended by any committee, other than the Committee on Bills in the Third Reading, shall be subject to this rule.

This rule shall be suspended only upon a vote of two-thirds of the members present and voting. [1985.]

34. Bills and resolves prepared for final passage shall be certified by the Senate Clerk and Parliamentarian, after comparison, to be the same as the bills or resolves passed to be engrossed; and if found to be properly prepared, the Clerk shall so endorse on the envelope of the bill or resolve; and the question on enactment or final passage or adopting an emergency preamble shall be taken on the bill or resolve, without further reading, unless specifically ordered. When a bill or resolve prepared for final passage contains an emergency preamble, changes the compensation paid to members of the General Court, provides for the borrowing of money by the Commonwealth and comes within Section 3 of Article LXII of the Amendments to the Constitution, provides for the giving, loaning or pledging of the credit of the Commonwealth and comes within Section 1 of Article LXII (as amended by Article LXXXIV) of the Amendments to the Constitution, or provides, upon recommendation of the Governor, for a special law relating to an individual city or town and comes within clause (2) of Section 8 of Article LXXXIX of the Amendments to the Constitution, the Clerk shall plainly indicate the fact. [1817; 1831; 1882; 1888; 1914; 1919; 1965; 1967; 1971; 1983.]

ORDERS OF THE DAY.

35. The unfinished business in which the Senate was engaged at the time of the last adjournment shall have preference in the Orders of the Day next after motions to reconsider. [1830; 1870.]

36. Reports of committees not by bill or resolve shall be referred to the Committee on Ethics and Rules; except that the report of a committee asking to be discharged from the further consideration of a subject and recommending that it be referred to another committee, or a report of a committee recommending that a matter be placed on file, shall be immediately considered. All reports of the Committee on Ethics and Rules shall be placed in the Orders of the Day for the next session unless such matter is assigned for special consideration by said Committee on some future date. Amendments to a measure which have been made by the House and sent back to the Senate for concurrence shall be placed in the Orders of the next day after that on which they are received; provided that amendments involving state money shall be referred to the Committee on Ways and Means.

Reports of committees on proposals for amendment of the Constitution shall be dealt with in accordance with Joint Rule 23. [1845; 1853; 1888; 1891; 1919; 1947; 1953; 1965; 1968; 1971; 1985; 1995; 2005.]

37. After entering upon the consideration of the Orders of the Day, the Senate shall proceed with them in regular course, as follows: Matters not giving rise to a motion or debate shall first be disposed of in the order in which they stand in the calendar; then the matters that were passed over shall be considered and disposed of in like order. [1817; 1836; 1841; 1859; 1878; 1882; 1885.]

38. No matter which has been duly placed in the Orders of the Day shall be discharged from the Orders of the Day or considered out of its regular course. [1885.]

38A. The Senate shall not continue in session beyond the hour of 8 p.m. This rule shall not be suspended unless two-thirds of the members present and voting consent to such suspension on a recorded yea and nay vote. [1983; 2005.]

38A 1/2. The Senate shall not continue in session beyond midnight. This rule shall not be suspended unless two-thirds of the members present and voting consent to such suspension on a recorded yea and nay vote. [2005.]

38B. Debate and consideration on the general appropriation bill shall begin at 10 a.m. and shall be the only matter placed on the calendar for that day. [1985.]

RULES OF DEBATE.

39. When speaking, each member shall stand in such member's place and address the President. When recognized, the member shall confine such member's remarks to the measure and question under debate and shall at all times avoid personalities. [1817; 1831; 1871; 1973.]

40. When 2 or more members rise to speak at the same time, the President shall designate the member who is entitled to the floor. [1831; 1888.]

41. No member shall speak more than once to the prevention of any other member who has not spoken and desires to speak on the same question. [1817; 1886.]

42. No member shall interrupt another while speaking, except by rising to call to order or to rise to a question of personal privilege or parliamentary inquiry. [1817; 1831; 1971.]

43. After a question is put to vote no member shall speak to it. [1817.]

43A. No appeal from a decision of the President shall be entertained unless it is seconded; and the question on the appeal shall be disposed of forthwith. [1973.]

MOTIONS.

44. Any motion shall be reduced to writing if the President so directs. A motion need not be seconded and may be withdrawn by the mover if no objection is made. [1817; 1844; 1871; 1888.]

44A. [Omitted in 2011.]

45. An amendment to any measure filed for debate with the Clerk containing 2 or more propositions, capable of division, shall be divided whenever desired by any member. When a motion to strike out and insert is thus divided, the failure of the motion to strike out shall not preclude amendment; or, if the motion to strike out prevails, the matter proposed to be inserted shall be open to amendment before the question is taken on inserting it. [1817; 1841; 1888.]

46. When a question is under debate the President shall receive no motion that does not relate to the same, except a motion to adjourn or some other motion which has precedence by express rule of the Senate, or because it is privileged in its nature; and the President shall receive no motion relating to the same except:

(1) To lay on the table (or take from the table);

(2) To close debate at a specified time;

(3) To postpone to a day certain;

(4) To commit (or recommit);

(5) To amend;

(6) To postpone indefinitely.

These motions shall have preference in the order in which they stand. [Between 1821 and 1826; 1831; 1844; 1870; 1882; 1885; 1888; 1921; 1939; 1945; 1971.]

47. Debate may be closed at any time not less than 1 hour from the adoption of a motion to that effect. On this motion not more than 10 minutes shall be allowed for debate, and no member shall speak more than 3 minutes. [1882.]

48. When motions are made to refer a subject to different committees, the committees proposed shall be considered in the following order:

(1) A standing committee of the Senate;

(2) A special committee of the Senate;

(3) A joint standing committee of the 2 branches;

(4) A joint special committee of the 2 branches. [1884; 1888.]

49. No engrossed bill or resolve shall be amended; but this rule shall not apply to a bill or resolve returned by the Governor with a recommendation of amendment under Article LVI of the Amendments of the Constitution; nor shall it apply to amendments of engrossed bills proposed by the House and sent to the Senate for concurrence. [1837; 1919; 1931.]

50. No motion or proposition of a subject different from that under consideration and no measure which has been finally rejected or disposed of by the Senate shall be admitted under the color of an amendment. [1882; 1971.]

51. [Omitted in 2011.]

52. The motion to adjourn and the call for yeas and nays shall be decided without debate.

On the motions to lay on the table and take from the table, to postpone to a time certain, to commit or recommit (except with instructions), not exceeding 10 minutes shall be allowed for debate, and no member shall speak more than 3 minutes.

On a motion to reconsider, not more than 30 minutes shall be allowed for debate, and no member shall speak more than 5 minutes; but on a motion to reconsider a vote upon any subsidiary, incidental or dependent question debate shall be limited to 10 minutes, and no member shall speak more than 3 minutes.

On a motion to suspend any of the joint rules or Senate rules debate shall be limited to 15 minutes, and no member shall speak more than 3 minutes. [1817; 1859; 1870; 1874; 1882; 1885; 1937; 1941.]

52A. The Senate President or presiding officer of the Senate may not declare that the Senate is in recess for more than 30 minutes, without informing the members from the rostrum of a time certain for reconvention. [1993.]

RECONSIDERATION.

53. No motion to reconsider a vote shall be entertained unless it is made on the same day on which the vote has passed, or on the next day thereafter on which a quorum is present and before the Orders of the Day for that day have been taken up. If reconsideration is moved on the same day, the motion shall (except during the last 7 calendar days of formal business under Joint Rule 12A) be placed first in the Orders of the Day for the succeeding day; but if it is moved on the succeeding day, the motion shall be considered forthwith; provided, however, that this rule shall not prevent the reconsideration of a vote on a subsidiary, incidental or dependent question at any time when the main question to which it relates is under consideration; and provided, further, that a motion to reconsider a vote on any incidental, subsidiary or dependent question shall not remove the main subject under consideration from before the Senate, but shall be considered at the time when it is made.

There shall be no reconsideration of the vote on the question on adjourning, for the yeas and nays, on laying on the table or on taking from the table; and when a motion for reconsideration has been decided, that decision shall not be reconsidered. [1817; between 1821 and 1826; 1858; 1885; 1888; 1891; 1902; 1946; 1999.]

REJECTED MEASURES.

54. When any measure has been finally rejected or finally disposed of by the Senate, no measure substantially the same shall be introduced by any committee or member during the session, or moved as an amendment to another measure. [1817; dispensed with in 1831; revived in 1838; amended in 1841; 1844; 1877; 1882; 1971.]

VOTING.

55. The President shall declare all votes; but if a member doubts a vote, the President shall order a return of the number voting in the affirmative, and in the negative, without further debate. [1831; 1888.]

56. The sense of the Senate shall be taken by yeas and nays whenever required by one-fifth of the members present, or by a number of members equal to the total number of members of the minority party. The President may wait a period not exceeding 10 minutes before ordering the Clerk to start the yeas and nays, during which time the members shall be summoned to the Senate Chamber as the President may direct

Other business of the Senate may be taken up during the 10 minute period. At the end of the 10 minute interval, the President shall state the question to be roll called and then direct the Clerk to begin the call. If, before the vote is taken, a member states to the Senate that such member has paired with another member and how each would vote on the pending question, the fact shall be entered on the journal immediately after the record of the yeas and nays, and such member shall be excused from voting. If, after the yeas and nays have been ordered, an advanced notice of at least 60 minutes is given by the President, the President may set a time certain for the vote to be taken and the 10 minute waiting period above prescribed may be waived. [1817; 1852; 1888; 1971; 1972, 1997.]

57. Whenever a question is taken by yeas and nays, the Clerk shall call the names of all members, except the President, in alphabetical order, and every member present shall answer to such member's name, unless excused before the vote was taken. Except in the case of a vote to ascertain the presence of a quorum, if a member present in the State House is prevented from voting personally in the Senate Chamber at the member's assigned seat because of physical disability, that member may be excused from so voting by the President, who shall assign a court officer to answer the roll call on behalf of the member so long as the disability continues; provided, however, that the President shall announce the action of the Chair to the membership prior to assigning a court officer to cast the member's vote; and provided further, that the President shall announce the action to the membership the first time a vote is cast for that member on each successive day that the member is absent from the chamber because of the disability. No member shall be permitted to vote after the decision is announced from the Chair. [1837; 1844; 2008.]

57A. [Omitted in 2011.]

ELECTIONS BY BALLOT.

58. In all elections by ballot a time shall be assigned for such election, at least 1 day prior to such election, except in case of an election of President or President pro tempore, under Rule 5. [1831; 1891.]

REPORTERS' GALLERY.

59. The use of the reporters' gallery of the Senate Chamber shall be subject to the approval and direction of the Committee on Ethics and Rules during the session and of the President after prorogation. Except in the reporter's official capacity as a reporter, no reporter who is entitled to the privileges of the reporters' gallery shall seek to influence the action of the Senate or any member, nor shall such person approach a member to seek to influence such member in any place from which legislative agents are excluded by Rule 61. Every legislative reporter desiring admission to the reporters' gallery of the Senate Chamber shall state in writing that such reporter is not the agent or representative of any person or corporation interested in legislation before the General Court and will not act as representative of any such person or corporation while such reporter retains a place in the gallery; but nothing in this rule shall prevent such legislative reporter from engaging in other employment, provided such other employment is specifically approved by the Committee on Ethics and Rules and reported to the Senate. [1847; 1911; 1914; 1925; 1989; 2003.]

59A. Formal sessions of the Senate shall be made accessible to electronic media, including television, radio and the Internet. The manner, conditions and extent of such access shall be established by the Committee on Ethics and Rules.

The President and the Clerk shall endeavor to provide that all formal sessions of the Senate during which the general appropriation bill is considered are broadcast live. If it is not feasible for such a session to be broadcast live they shall endeavor to provide for its delayed broadcast. The Committee on Ethics and Rules may provide for the audio or video transmission via the Internet of Senate sessions. The committee on Ethics and Rules may enter into agreements with nonprofit entities, including public and private educational facilities, to provide for audio or video transmission via the Internet of the Senate sessions.

This rule shall not be suspended unless by majority vote of the members present and voting.

If, for any reason, the Senate convenes in a formal session and such session is not televised live, then the party under the contractual duty to provide the broadcast shall provide to the Senate President and Minority Leader within 24 hours of the adjournment of such session a report including, but not limited to an explanation for why the broadcast was not received.

Prior to permanent arrangements being entered into for the broadcast of formal Senate sessions, any television carrier, who wishes to broadcast any formal Senate session shall make application to the committee on Ethics and Rules to do so, approval of which shall not be unreasonably withheld. Any carrier may make arrangements to utilize a pool feed to be provided under guidelines and conditions set forth by the committee on Ethics and Rules. [1989, 2001; 2003; 2007.]

59B. The Clerk of the Senate shall deliver a copy of each broadcast Senate session to the Majority Floor Leader and the Minority Floor Leader not later than 24 hours after such session has ended.

The Clerk of the Senate shall also keep a copy of every broadcast Senate session for reference purposes. These copies shall be made available to the public upon request. [1993.]

59C. The electronic feed that provides the broadcast coverage of the Senate sessions shall be available to any media outlet. [2002.]

59D. (1) The President shall make available to each member of the Senate a copy of the contract for the broadcast of the Senate formal sessions.

(2) Any contracts executed after January 1, 2003 concerning television broadcast of the formal sessions of the Senate shall require the following information to be reported to the members of the Senate:

(a) a list of all cities and towns to receive live television broadcasts of the sessions of the Senate;

(b) a list of each city and town to receive Senate coverage including the date and time of the live and pre-recorded broadcasts of each session of the Senate;

(c) a list of cities and towns that do not receive live televised broadcasts of the sessions of the Senate and an explanation for the lack of coverage.

The President shall make available said copy of the contract to each member of the Senate on the first day of the annual session. [2003.]

THE SENATE CHAMBER AND ADJOINING ROOMS.

60. No person not a member shall be allowed to sit at the Senate table while the Senate is in session. [1853;1888.]

61. No person, except members of the legislative and executive departments of the state government, persons in the exercise of an official duty directly connected with the business of the Senate, and reporters who are afforded press privileges by the Senate President, shall, unless invited by the President, be admitted to the floor of the Senate Chamber or to the Senate Reading room or to the corridor between the Senate Reading room and the Senate Chamber during the sessions of the Senate, or during the half hour preceding or succeeding said sessions, nor to the Senate reading room, cloak room or anterooms on any day when a session of the Senate is held, except upon written invitation bearing the name of the person it is desired to invite and the name of the Senator extending the invitation, which invitation shall be surrendered when the person enters one of the otherwise restricted areas.

Reporters desiring access to the Senate Chamber shall make written application to the President stating the purposes for which the privileges are required, and such privileges shall be granted only upon written approval by the President.

No legislative agent shall be admitted to the floor of the Senate Chamber. On any day when a session of the Senate is held, no legislative agent shall be admitted to the Senate Reading room, the cloak room, the Senate corridor or anterooms and no person, except members of the legislative and executive departments of the state government and persons in the exercise of an official duty directly connected with the business of the Senate shall be permitted to loiter in the Reading room, the cloak room, the Senate corridor or anterooms at any time. Smoking shall not be permitted in the Senate Reading room, the cloak room or the anterooms. [1870; 1875; 1886; 1891; 1895; 1896; 1897; 1898; 1907; 1909; 1914; 1916; 1925; 1989.]

61A. No person shall be allowed to smoke on the floor of the Senate. [1985.]

62A. No use of cellular telephones shall be permitted in the Senate Chamber while the Senate is in session. [2003.]

PARLIAMENTARY PRACTICE.

62. The rules of parliamentary practice shall govern the Senate in all cases to which they are applicable, and in which they are not inconsistent with these rules or the joint rules of the 2 branches. [1847; 1858; 1882; 1895; 1963.]

ALTERATIONS, SUSPENSION OR REPEAL OF RULES.

63. This rule and rules 24, 31, 33, 34 and 53 shall not be suspended if objection is made; and no other rule shall be altered, suspended or repealed, except by vote of two-thirds of the members present and voting. The Committee on Ethics and Rules may consider and suggest measures that shall, in its judgment, tend to facilitate the business of the Senate, and a majority vote of the Senate shall be required to approve such recommendations. [1817; 1841; 1848; 1882; 1888; 1891; 1893; 1899; 1953; 1973; 2003.]

64. Twenty-one members shall constitute a quorum for the organization of the Senate and the transaction of business. [See Amendments to the Constitution, Art. XXXIII.][1973.]

65. The Senate shall meet not later than the fourth Friday following the convening of the first annual session of a General Court for the purpose of adopting permanent rules of the Senate. [1991; 2007.]

66. [Omitted in 1997.]

67. The resignation of a Senator shall become effective within 14 days from submission of a letter of resignation or a letter of intent to resign to the Senate President's Office. [2007.]

REVIEW PAST SENATE PROCEDURE.

68. The President shall establish a commission to examine past rules and practices of the Massachusetts State Senate.

This commission shall consist of 3 members: the Senate President pro tempore; the majority leader; and the minority leader; and shall examine and compare the current rules and practices of the Massachusetts State Senate with the body's historic rules and practices. This examination and comparison may include, but not be limited to, matters of decorum, attendance, dress, and schedule.

The commission shall report its findings and recommendations by September 1 of every odd numbered year.

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RULES

OF THE

HOUSE OF REPRESENTATIVES

[as amended and adopted by the House on January 20, 2011.]

RULES
OF THE
HOUSE OF REPRESENTATIVES

[As amended and adopted on January 20, 2011.]

[Rule numbers have been changed. Numbers enclosed in brackets following each rule indicate the rule number prior to 1979. Numbers enclosed in parentheses following each rule indicate the corresponding Senate Rule.]

SPEAKER.

1. The Speaker shall take the Chair at the hour to which the House stands adjourned, call the members to order, and, on the appearance of a quorum, proceed to business. [1.] (Senate Rule 1.)

1A. The House shall not be called to order before the hour of ten o'clock A.M. nor meet beyond the hour of nine o'clock P.M. At the hour of nine o'clock P.M., if the House is in session, the Speaker shall interrupt the business then pending and shall, without debate, place before the House the question on suspension of this rule which shall be decided by a majority of members present and voting by a recorded yea and nay vote. If the vote is in the affirmative, said vote shall permit the House to remain in session until the hour of midnight; provided that the session shall not continue beyond the hour of midnight, unless by unanimous consent of the members present. The House shall then return to the pending business; and if no matter was pending, to the next order of business. However, if the vote is in the negative, the Speaker shall forthwith, and without further debate, adjourn or recess the House to a time not earlier than ten o'clock A.M. on the next succeeding calendar day.

[Adopted Jan. 12, 1983; Amended Jan. 11, 1985; Jan. 12, 1987; Jan. 14, 1997; May 16, 2000.]

2. The Speaker shall preserve decorum and order in the House Chamber. While in the House Chamber, members and staff shall be required to dress in proper and appropriate attire and to refrain from the use of cellular telephones, beepers and pagers. The use of visual aids including, without limitation, posters, displays, or charts shall be permitted only upon approval of the Speaker. The Speaker also may speak to points of order in preference to other members; and shall decide all questions of order, subject to an appeal to the House. [2.] (2.) [With regard to appeals, see Rule 77.]

[Amended Jan. 11, 1985; Jan. 9, 2003; Jan. 20, 2011.]

3. The Speaker shall declare all votes, subject to verification as hereinafter provided. [3.] (55.) [See Rules 49 to 53, inclusive.]

[Amended Jan. 11, 1985.]

4. In all cases the Speaker may vote. [4.] (3.)

[Amended Jan. 11, 1985.]

4A. The Speaker may appoint a Speaker pro tempore. The Speaker pro tempore shall assist the Speaker in the coordination of policy development and the ceremonial functions of the House and shall perform such duties assigned to him by the Speaker. Upon a vacancy in the office of Speaker, the office of Speaker pro tempore shall be considered vacant.

[Adopted Jan. 26, 2005, Amended, Jan. 23, 2007.]

5. The Speaker may appoint a member to perform the duties of the Chair. In the event the Speaker fails to appoint a member to perform the duties of the Chair, the Speaker pro tempore shall be the Acting Speaker until the Speaker otherwise provides or until a vacancy in the office of Speaker occurs. In the event that the Speaker pro tempore is absent or is unable to perform the duties of Acting Speaker, the Majority Leader, the Assistant Majority Leader, the Second Assistant Majority Leader or other designee shall be the Acting Speaker. [7.] (4.)

[Amended April 18, 1979; Jan. 11, 1985; Jan. 14, 1997; Jan. 26, 2005.]

6. In case of a vacancy in the office of Speaker, or in case the Speaker or the member named by said Speaker in accordance with the preceding rule is absent at the hour to which the House stands adjourned, the senior member present shall call the House to order, and shall preside until a Speaker is elected, which shall be the first business in order. [8.] (5.)

[Amended Jan. 11, 1985, Amended, Jan. 23, 2007.]

7. At the beginning of the first year of the two year General Court the Speaker shall, unless the House otherwise directs, appoint a Chaplain; and the Speaker shall promptly fill any vacancy in the office of Chaplain. [7A.] (4.)

[Amended Jan. 11, 1985.]

SCHEDULING.

7A. There shall be appointed a standing committee on Steering, Policy and Scheduling consisting of eleven members. The committee shall not be subject to the provisions of Rule 17A, but shall be authorized to meet from time to time at the call of the Chair for the purpose of assisting the members of the House of Representatives in identifying the major matters pending before the General Court, the relative urgency and priority for consideration of such matters, and alternative methods of responding to such matters by the General Court. Said committee shall schedule legislative matters in a manner that will provide for an even distribution and orderly consideration of reports of legislative committees on the daily Calendar.

The committee on Steering, Policy and Scheduling shall not be authorized to recommend changes or amendments to legislation or recommend that a matter ought to pass or ought not to pass, but shall only report asking to be discharged from further consideration of a bill, and recommending that it be referred or recommitted to another committee, provided, however, that it shall not recommend that a matter be referred or recommitted to the committee on Rules or the committees on Rules of the two branches, acting concurrently, or what date a matter shall be scheduled for consideration by the House and placed in the Orders of the Day. All reports by the committee on petitions filed or approved by the voters of a city or town, or by the mayor and city council, or other legislative body of a city or the town meeting of a town with respect to a law relating to that city of town shall be read and considered by the House at a formal or informal session before being accepted, rejected or otherwise acted upon.

All matters received from the Senate or reported from standing committees of the House and joint standing committees of the General Court shall, unless subject to provisions of any other House or joint rules, be referred to the committee on Steering, Policy and Scheduling. All matters reported by said committee on Steering, Policy and Scheduling recommending that a matter shall be scheduled for consideration by the House shall be placed in the Orders of the Day for the next sitting. Said committee may report on a legislative matter within thirty days following the day the matter was referred. If the committee fails to report a matter within thirty days following the date of its reference, the Clerk shall place the matter on the Calendar of the House as if it had been scheduled for consideration by said committee on Steering, Policy and Scheduling.

[Adopted Jan. 14, 1997; Amended Jan. 26, 1999; Jan. 24, 2001; Jan. 9, 2003; Jan. 26, 2005.]

7B. The committee on Rules shall be authorized to originate and report special orders for the scheduling and consideration of legislation on the floor of the House. Said committee shall not be subject to the notification provisions contained in Rule 17A but may hold public hearings and shall accept testimony only from the members of the House. A majority of the members appointed to the committee shall constitute a quorum. When reported, such orders may be amended by a two-thirds vote of the members present and voting, and shall be subject to approval by a majority of the members of the House present and voting. Debate on the question on adoption of such orders shall be limited to one hour. No orders adopted pursuant to this paragraph shall limit the powers of the Speaker as provided in Rules 1 to 6, inclusive. Such orders shall not be subject to reconsideration.

[Adopted Jan. 14, 1997; Amended Jan. 24, 2001, Feb. 11, 2009.]

7C. The committee on Rules may consider and make recommendations designed to improve and expedite the business and procedures of the House and its committees, and to recommend to the House any amendments to the Rules deemed necessary; provided that a majority of the members of the House present and voting shall be required to approve such recommendations.

The committee shall be privileged to report at any time.

[Adopted Jan. 14, 1997.]

7D. The Speaker shall, in consultation with the committee on Rules and the committee on Steering, Policy and Scheduling, establish a committee scheduling system that would minimize to the greatest extent possible scheduling conflicts for members of committees.

The Speaker shall determine a schedule for the House for each week relative to formal and informal sessions and shall make such schedule available to the members by Thursday of the preceding week; provided, however, that the Speaker may make, notwithstanding the provisions of Rule 7A, changes in the schedules to facilitate the business of the House in an efficient and timely fashion. The Speaker shall communicate notice of any such scheduling change to the members in writing or by way of electronic mail as soon as practicable, and whenever possible, the Speaker shall provide such notice not less than twenty-four hours before the event so rescheduled is set to commence.

[Adopted Jan. 14, 1997; January 9, 2003.]

MONITORS.

8. Two monitors shall be appointed by the Speaker for each division of the House, whose duty it shall be to see to the due observance of the rules, and, on request of the Speaker, to return the number of votes and members in their respective divisions. [9.]

9. If a member transgresses any of the rules after being notified thereof by a monitor, it shall be the duty of such monitor to report the case to the House.

It shall be the duty of a monitor to report his or her knowledge of the occurrence of a member voting for another member, in his or her division of the House, to the Speaker of the House and to the Minority Leader. [10.] [See Rules 16 and 16A.]

[Amended Jan. 9, 1991; May 5, 1993.]

9A. There shall be established a Floor Division Committee for each of the four divisions of the House. The Speaker shall appoint a Floor Division chairperson for each of the four divisions. Said committee shall consist of the members assigned to the respective divisions.

In order to create a continuous flow of debate, each chairperson shall be responsible for reviewing the daily Calendar and providing advance notice to committee members in the respective divisions of all matters scheduled for consideration in the Orders of the Day. Said committee chairpersons shall provide information to members of their committees on pending legislation and other matters of business before the House.

In addition to the legislative duties, chairpersons shall oversee the physical appearance of the Chamber and the various areas under the jurisdiction of the House of Representatives. Said chairpersons shall be authorized to act as a committee and may meet at any time at the request of at least two chairpersons. Said chairpersons, as a committee, shall be authorized to meet with the appropriate agencies and historical commissions of the Commonwealth for the purpose of requesting expeditious appraisals and necessary repairs and renovations to the interior and exterior of the State House. The committee of chairpersons shall report directly to the Speaker the results of all consultations.

[Adopted Jan. 14, 1997.]

CLERK.

10. The Clerk shall keep the Journal of the House. The Clerk shall enter therein a record of each day's proceedings and, whenever practicable, submit it to the Speaker and the Minority Leader before the hour fixed for the next sitting, and shall cause the same to be available daily in a format to be determined by the Clerk; and provided further that a copy of said Journal shall also be made available to each member of the House. Any objection to the Journal shall be made before the House proceeds to the consideration of the Orders of the Day. [11.] (6.)

[Amended Jan. 12, 1981; Jan 11, 1985; Jan. 17, 1995; Jan. 9, 2003.]

10A. The Clerk shall be the official parliamentarian of the House of Representatives.

[Adopted Jan. 9, 1991.]

11. Every question of order with the decision thereof shall be entered at large in the Journal, and shall be noted in an appendix, which shall also contain the rules of the House and of the two branches. [12.] (6.)

12. The Clerk shall prepare and make available on each day of formal session a Calendar of matters in order for consideration and such other memoranda as the House or the Speaker may direct. The Clerk shall prepare a Calendar on which shall appear any question on passage of a bill or resolve notwithstanding the objections of His Excellency the Governor which may be considered forthwith at the direction of the House or Speaker.

When, in the determination of the Clerk, a volume of matters exists for the next legislative day, the Clerk shall be authorized to prepare and cause to be made available an advance calendar of the matters in order of consideration for the next legislative day and such other memoranda as the House or Speaker may direct. The Clerk may indicate on the advance calendar that the matters contained therein are subject to change.

The Clerk shall be authorized to dispense with preparing and making available a Calendar for designated formal sessions of the House only after two-thirds of the members present and voting consent thereto on a recorded yea and nay vote. Debate on this question shall be limited to fifteen minutes, no member shall speak more than three minutes, and such question shall not be subject to reconsideration.

The Clerk shall dispense with preparing and making available a Calendar for designated Informal Sessions of the House.

As soon as practicable whenever the Clerk prepares a Calendar or advance Calendar under this rule, he also shall cause a true copy thereof to be posted on the Legislative Web Page that is generally available to all members and their staff, and reasonably promptly thereafter he shall cause the members and their staff to be notified of the same by way of electronic mail. [13.] (7.) [Amended Jan. 12, 1983; Jan. 11, 1985; Jan. 12, 1987; May 5, 1993; Jan. 17, 1995; Jan. 24, 2001; Jan. 9, 2003; Jan. 26, 2005, Jan. 23, 2007.]

13. Any objection to the Calendar shall be made and disposed of before the House proceeds to the consideration of the Orders of the Day. [14.]

13A. The clerk shall make available to all members electronically and, to the public via the Internet, the text of all bills introduced and admitted for consideration in the House.

MEMBERS.

14. No member shall stand up, to the inconvenience of others, while a member is speaking; or be involved in disturbing conversation while another member is speaking in debate; or pass unnecessarily between the Speaker of the House and the member speaking; or stand in the passages, or in the area in front of the Chair; or stand at the Clerk's desk while a roll call is in progress. [16.]
[Amended Jan. 12, 1987; Jan. 9, 1989; Jan. 26, 1999.]

14A. No member shall hold, for more than eight consecutive years, the office of Speaker of the House. For purposes of this rule, the counting of consecutive years shall commence on January 7, 2009.

15. When it appears to the presiding officer that the presence of a quorum is endangered, the Chair shall order the doors closed. If a quorum is doubted the Chair shall order the doors closed and thereafter no member shall enter or leave the House until an initial determination has been made as to the presence of a quorum or lack thereof; and thereafter, provided that no quorum is present, no member shall leave the

House unless by permission of the presiding officer, but members shall be admitted, at any time.

Upon the doubting of a quorum and after ascertaining that a quorum is not present, the Speaker may order a recorded attendance roll call to be taken by use of the electronic roll call system.

Said roll call, if ordered, shall be taken at a time determined by the Speaker.

Members answering a quorum call shall vote "YES" on the roll call system. [17.] (11.)
[Amended Jan. 12, 1981; Feb. 22, 1982; Jan. 12, 1983; Jan. 12, 1987; Jan. 9, 1991.]

ETHICS.

16. There shall be appointed a committee on Ethics as authorized by Rule 17. The committee shall consist of eleven members, seven of whom shall be appointed by the Speaker, four of whom shall be appointed by the Minority Leader.

A member appointed to the committee shall not be considered to be a member of the committee subsequent to the declaration of candidacy for any other state or federal elective office.

The committee shall investigate and evaluate, at the direction of the Speaker, by a sworn written complaint filed and delivered by a member, officer or employee to the chairman, or by a majority vote of the members appointed to the Ethics committee, any matters relative to alleged violations of Rule 16A by a member, officer or employee.

Upon the receipt of said sworn written complaint, at the direction of the Speaker or by a majority vote of the members appointed to the Ethics committee, the committee shall notify any person named of the nature of the alleged violation and a list of prospective witnesses, and also shall notify said person of the final disposition and the recommendations, if any, of the committee.

Any member, officer, or employee of the House named relative to an alleged violation shall be afforded the opportunity to appear before the committee on Ethics with counsel.

All proceedings including the filing of the initial complaint shall be considered confidential information.

If the alleged violation received in the manner described above is deemed to have merit by a majority vote of the members appointed to the committee, the committee shall file a report with the Clerk of the House. Said report shall be a public document. The committee shall not disclose any allegation deemed to be frivolous or without merit.

If a majority appointed finds that any member of the House, officer, or employee has violated any provision of Rule 16A, a majority appointed may, in the case of a member, recommend a reprimand, censure, removal from a chairmanship or other position of authority, or expulsion; and in the case of an officer or employee, a majority appointed may recommend a reprimand, suspension, or removal from employment.

Should such an alleged violation be filed with the committee regarding a member or members of the House Ethics committee, said member or members shall not participate in the committee deliberations on said alleged violation.

Any member, officer, or employee of the House may request in writing from the House committee on Ethics an advisory opinion concerning any contemplated personal action or potential personal conflict. The committee on Ethics shall issue written advisory opinions and clarification in response to said written request. The committee shall respond within sixty days of receipt of such a request, unless the General Court has prorogued. In that event, the committee shall respond within thirty days following the opening of the new session.

No member, officer, or employee of the House shall be penalized in any manner for having acted within the guidelines of an advisory opinion, provided that all pertinent facts are stated in the original request for an advisory opinion. Any advisory opinion issued by the committee on Ethics shall be valid only for biennial session in which it was issued.

The chairman of the Ethics committee may convene the committee at any time.

The chairman shall also convene the committee at the written request of at least five members of the committee.

The Committee may, upon the written and signed report of two-thirds of the members of the committee, file a special report containing legislation without said legislation being founded upon petition which shall be referred under the provisions of Rule 24 and consistent with the provisions of Joint Rule 13, to the appropriate joint standing committee. Any special report containing legislation filed pursuant to this paragraph shall be germane to subject matters regularly considered by the committee. The committee shall not include in any such special report a bill that would have a fiscal impact as described in Rule 33.

Upon convening of the first annual session of the General Court and after the adoption of rules, all members, officers and employees of the House shall be provided with a current copy of the Code of Ethics contained in Rule 16A. [19.] (12A.)

[Amended Jan. 12, 1987; May 5, 1993; Jan. 17, 1995; Mar. 6, 1995; Jan. 14, 1997; Jan. 20, 2011.]

CODE OF ETHICS.

16A. (1.) While members, officers and employees should not be denied those opportunities available to all other citizens to acquire and retain private, economic and other interests, members, officers, and employees should exercise prudence in any and all such endeavors and make every reasonable effort to avoid transactions, activities, or obligations, which are in substantial conflict with or will substantially impair their independence of judgment.

(2.) No member, officer or employee shall solicit or accept any compensation or political contribution other than that provided for by law for the performance of official legislative duties.

(3.) No member, officer or employee shall serve as a legislative agent as defined in Chapter 3 of the General Laws regarding any legislation before the General Court.

(4.) No member, officer or employee shall receive any compensation or permit any compensation to accrue to his or her beneficial interest by virtue of influence improperly exerted from his or her official position in the House.

(5.) No member, officer or employee shall accept employment or engage in any business or professional activity, which will require the disclosure of confidential information gained in the course of, and by reason of, his or her official position.

(6) No Member, officer or employee shall willfully and knowingly disclose or use confidential information gained in the course of his or her official position to further his or her own economic interest or that of any other person.

(7.) Except as provided in Rule 49, no member shall cast a vote for any other member, nor shall any officer or employee vote for any member, except that the Clerk or an assistant Clerk may record a vote for a member who votes late under the provisions of Rule 52, or is prohibited from voting from his desk due to a malfunction of the electronic roll call voting system; provided the Clerk's action shall not be construed as voting for said member.

(8.) No member shall use profane, insulting, or abusive language in the course of public debate in the House Chamber or in testimony before any committee of the General Court.

(9.) No member, officer or employee shall employ anyone from public funds who does not perform tasks which contribute substantially to the work of the House and which are commensurate with the compensation received; and no officer or full time employee of the House shall engage in any outside business activity during regular business hours, whether the House is in session or not. All employees of the House are assumed to be full time unless their personnel record indicates otherwise.

(10.) No member, officer or employee shall accept or solicit compensation for non-legislative services which is in excess of the usual and customary value of such services.

(11.) No member, officer or employee shall accept or solicit an honorarium for a speech, writing for publication, or other activity from any person, organization or enterprise having a direct interest in legislation or matters before any agency, authority, board or commission of the Commonwealth which is in excess of the usual and customary value of such services.

(12.) No member, officer or employee shall knowingly accept any gifts from any legislative or executive agent.No member, officer or employee shall accept any gift from any person or entity having a direct interest in legislation before the General Court (For the purpose of this paragraph, the definitions of "gift" and "person" are defined in chapter 268B, section 1(g) and 1(m).).

(13.) No member shall convert campaign funds to personal use in excess of reimbursements for legitimate and verifiable campaign expenditures. Members shall consider all proceeds from testimonial dinners and other fund raising activities as campaign funds.

(14.) No member shall serve on any committee or vote on any question in which his/her private right is immediately concerned, distinct from the public interest. [19.]

(15.) No member, officer or employee shall violate the confidentiality of any proceeding before the Ethics committee. [19A.]
[Amended Jan. 12, 1981; May 5, 1993; Jan. 24, 2001.]

16B. The Committee on Personnel and Administration shall develop and conduct an ethics law training program for every member, officer and employee of the House; provided further, that said training program shall include, without limitation, a detailed review of the requirements and prohibitions of chapter 268A and chapter 268B of the General Laws; and provided further, that said training program shall be offered no later than July 1 of the first biennial session of the General Court and shall be mandatory for all members, officers and employees.
[Adopted Jan. 9, 2003, Amended Jan 20, 2011.]

16C. Bills involving lobbyists' reporting laws, and laws pertaining to the ethical conduct of public officials shall, after their first reading, be referred to the committee on Ethics, for report on their relation to the ethics laws of the Commonwealth. No new provisions shall be added to such measures by the committee, unless directly pertaining to ethics.

COMMITTEES.

17. At the beginning of the first year of the two year General Court, standing committees shall be appointed as follows:

A committee on Rules;
(to consist of fifteen members).
A committee on Ways and Means;
(to consist of thirty-two members).
A committee on Bills in the Third Reading;
(to consist of three members).

A committee of each Floor Division;
(to consist of the members of each division).
A committee on Ethics;
(to consist of eleven members).
A committee on Personnel and Administration;
(to consist of thirteen members).
A committee on Post Audit and Oversight;
(to consist of eleven members).
A committee on Steering, Policy and Scheduling;
(to consist of eleven members).
A committee on Bonding, Capital Expenditures and State Assets;
(to consist of eleven members).
A committee on Global Warming and Climate Change;
(to consist of eleven members).

Committee meetings, insofar as practicable, shall not be scheduled in conflict with formal sessions of the House of Representatives. [20.] (12, 12A, 12B.)

[Amended March 6, 1979; Sept. 16, 1981; Jan. 11, 1985; Jan. 12, 1987; May 5, 1993; Oct. 6, 1993; May 23, 1996; Jan. 14, 1997; Jul. 17, 2003; Jan. 26, 2005.]

17A. (a) For the purposes of this rule, the following terms shall, unless the context clearly requires otherwise, have the following meanings:

"Deliberation", a verbal exchange between a quorum of members of a committee attempting to arrive at a decision on any public business within its jurisdiction.

"Emergency", a sudden generally unexpected occurrence or set of circumstances demanding immediate action.

"Executive conference", any meeting or part of a meeting of a committee which is closed to certain persons for deliberation on certain matters.

"Executive session", any meeting or part of a meeting of a committee wherein the committee is voting on legislation and where public participation is limited to observance.

"Meeting", any corporal convening and deliberation of a committee for which a quorum is required in order to make a decision at which any public policy matter over which the committee has supervision, control, jurisdiction or advisory power is discussed or considered; provided, however, that "meeting" shall not include an on-site visitation or inspection of any project or program.

"Quorum", a simple majority of a committee unless otherwise defined by constitution, rule or law applicable to such committee; provided further, that a quorum shall be presumed to be present unless otherwise doubted.

(b) All meetings, except executive conferences, of House standing and special committees, shall be open to the public and any person shall be permitted to attend any meeting except as otherwise provided pursuant to this rule or Rule 7A.

No quorum of a committee shall meet in private for the purpose of deliberation except as provided pursuant to this rule.

No executive session shall be held until: (i) the committee has first convened in an open session for which notice has been given; (ii) the presiding officer has stated the authorized purpose of the executive session; (iii) a majority of the members of the committee present have voted to go into executive session and the vote of each member has been recorded on a roll call vote and entered into the minutes: and (iv) the presiding officer has stated before the executive session if the committee will reconvene after the executive session.

(c) Executive conferences shall be held only for the following purposes: (i) to discuss the reputation, character, physical condition or mental health rather than the professional competence of a member, officer or employee;

(ii) to consider the discipline or dismissal of, or to hear complaints or charges brought against, a member, officer or employee; (iii) to discuss strategy with respect to litigation if an executive session or other open meeting may have a detrimental effect on the legal position of the committee; or (iv) to consider the purchase, exchange, lease or value of real property, if such discussions may have a detrimental effect on the negotiating position of the Commonwealth or a person, firm or corporation.

A member, officer or employee subject to an executive conference pursuant to clause (i) or clause (ii) shall be notified in writing no less than 48 hours prior to the proposed executive conference; provided, however, that upon agreement of the parties involved, the notification requirements of clause (i) and clause (ii) may be waived. Upon request of the member, officer or employee subject to an executive conference pursuant to clause (i) or clause (ii) the executive conference shall be open to the public.

A member, officer or employee subject to an executive conference pursuant to clause (i) or clause (ii) shall have the right to: (a) be present at such executive conference during discussions or considerations which involve that member, officer or employee; (b) have counsel or a representative of his/her own choosing present and attending for the purpose of advising said member, officer or employee; provided, however, that said counsel or representative shall not actively participate in the executive conference; and (c) to speak on his/her own behalf to the committee assembled in executive conference.

(d) This rule shall not apply to any chance meeting or social meeting at which matters relating to official business are discussed so long as no final agreement is reached. No chance meeting or social meeting shall be used in circumvention of the spirit or requirements of this section to discuss or act upon a matter over which the committee has supervision, control, jurisdiction, or advisory power.

(e) Except pursuant to an emergency, a notice and agenda of every meeting of a committee subject to this rule shall be filed with the Clerk of the House, publicly posted by the Clerk on the bulletin board outside the Clerk's Office and in such other places as are designated in advance for such purpose by said Clerk, made available to all members electronically and made available to the public via the Internet at least forty-eight hours, including Saturdays, but not Sundays and legal holidays, prior to the time of such meeting and a list of the bills, petitions, and resolutions to be considered for a vote or other action by the committee. The notice shall include the date, time and place of such meeting. Such filing and posting shall be the responsibility of the committee scheduling such meeting. The notice and posting requirements shall not apply to executive conferences held pursuant to clause (i) or clause (ii) of part (c) of this rule unless the member, officer or employee subject to the executive conference requests that the executive conference be open to the public,

(f) A committee shall maintain accurate records of its meetings and hearings setting forth the date, time and place thereof, and recording any action taken at each meeting, hearing, executive conference or executive session. All votes requested to be taken in executive sessions shall be recorded roll call votes and shall become a part of the record of said executive sessions. The record of each meeting shall become a public record and be available to the public; provided, however, that the records of any executive conference shall remain secret as long as publication may defeat the lawful purposes of the executive conference.

(g) Upon prior notification and approval of the chair, a meeting of a committee may be recorded by a person in attendance by means of a recorder or any other means of audio/visual reproduction; provided, however, that said recording shall not interfere with the conduct of the meeting. Executive conferences conducted pursuant to clause (i) or clause (11) of part (c) of this rule shall not be recorded unless upon the request of the member, officer or employee who is subject to said executive conference. Executive conferences conducted pursuant to clause (iii) or (iv) of part (c) of this rule may be recorded at the discretion of the chair.

(h) Copies of all redrafted bills that are to be voted on at an executive session by the House Ways and Means Committee shall be available to all members of the committee electronically in the form they will be considered no less than twenty-four hours prior to their consideration; provided, however, that said committee may vote on a bill that has not been available for said period of time by vote of a majority of the committee members present.

[Adopted Nov. 17, 1983; Amended Jan. 12, 1987; Jan. 9, 1991; May 5, 1993; Jan. 17, 1995; Jan. 14, 1997; Jan. 9, 2003, Jan. 23, 2007, Feb. 11, 2009.]

17B. Whenever any member of a House committee present at the committee meeting so requests, the vote to give any legislation a favorable or adverse report shall be a recorded vote of the full committee. Such votes shall be recorded on appropriate forms that show all votes for and against the particular committee action. The record of all such roll calls shall be kept in the offices of the committee and shall be available for public inspection.

No report of a House committee on any legislation shall be final until those members of the committee present and voting with the majority have been given the opportunity to sign such appropriate forms before the report is made to the House. No signature shall be valid unless the forms to which the signatures are affixed include the substantially complete text of the legislation being reported.

[Adopted Nov. 17, 1983; Amended Jan. 12, 1987.]

17C. There shall be a committee on Personnel and Administration on the part of the House consisting of thirteen members. Said committee shall be responsible for the allocation of office space as equitably as possible among the various members and joint and standing committees on the part of the House and their respective staff.

The committee shall allocate space among the various committees on the part of the House taking into account the work load, duties and responsibilities and size of staff of each.

The Speaker may make temporary office assignments in accordance with the foregoing principles.

The committee on Personnel and Administration may from time to time make changes in the assignment of office space for committees and the various staffs in accordance with the established standards.

Said committee shall establish the staffing levels and positions for each joint and standing committee of the House together with a classification plan for all employees of the House of Representatives.

For each person who is employed or is to be employed by a joint or standing committee on the part of the House, each committee chairman shall nominate each such person and the House members of the committee by a majority vote shall vote on whether to approve each said nominee. The House members of the committee shall approve such persons whose character and qualifications are acceptable to the majority of the House members of the committee and are in accordance with the qualifications established by the Personnel and Administration committee.

The chairman of each standing committee shall have the authority to discharge an employee.

The House staff members of each committee shall be appointed solely on the basis of fitness to perform the duties of their respective positions and consistent with section four of chapter one hundred fifty-one B of the General Laws. The committee staff shall not:

(1) engage in any work other than committee business during business hours; and

(2) be assigned any duties other than those pertaining to committee business.

The committee shall meet on request of the chairman or any three members of the committee. Any such meeting requested shall be convened on or within the fifth business day following such request. All such requests shall be in writing and forwarded to the chairman and each member of the committee.

Funds shall be allocated from the budget to carry out the determination of the committee.

[Adopted Jan. 11, 1985; Amended Jan. 16, 1985; Jan. 12, 1987; Jan. 9, 1991.]

17D. [Omitted Jan. 26, 2005.]

17E. [Omitted Jan. 26, 2005.]

17F. [Omitted Jan. 26, 2005.]

17G. The committee on Bonding, Capital Expenditures and State Assets shall review all legislation providing for the giving, loaning or pledging of the credit of the Commonwealth (see Article LXII of the Amendments to the Constitution, as amended by Article LXXXIV). Said committee shall be responsible for evaluating such legislation and determining the appropriateness of enacting legislation containing increased bond authorizations for the Commonwealth. The committee shall periodically review and hold open public hearings, accepting oral and written testimony on the status of the bonds and notes of the Commonwealth, including (1) general obligation debt; (2) dedicated income tax debt; and (3) special obligation debt. The committee shall also, in its continuing study of the state's bonding practices, review the Commonwealth's liabilities relative to (a) state-supported debt; (b) state-guaranteed debt; and (3) indirect obligations.

Any bill providing for borrowing for new projects, and requiring the Commonwealth to issue bonds for such purpose, shall, prior to its reference to the committee on Ways and Means, be referred to the committee on Bonding, Capital Expenditures and State Assets for report on its relationship to the finances of the Commonwealth. A measure may initially be referred to a joint committee with jurisdiction over the subject matter before being referred to the committee on Bonding, Capital Expenditures and State Assets.

The committee on Bonding, Capital Expenditures and State Assets shall consult with the various agencies of the executive branch and the office of the Treasurer and Receiver-General relative to project expenditures, availability of funds, the sale of new bonds and the resultant debt obligations, federal reimbursements and other related funding and bonding issues.

The committee on Bonding, Capital Expenditures and State Assets shall be authorized to conduct hearings relative to the statutory authority of the executive branch and the Treasurer and Receiver-General in the issuance and sale of bonds and notes and the expenditure of capital funds by the various agencies and authorities of the Commonwealth. The committee shall determine whether such laws, administrative regulations and programs are being implemented in accordance with the intent of the General Court. The committee shall be authorized to make recommendations for statutory changes and changes in the Constitution which would grant discretion to the General Court over the allotment and expenditure of fund authorized by capital appropriations.

The committee on Bonding, Capital Expenditures and State Assets shall be authorized to report to the General Court from time to time on the results of its hearings and to file drafts of legislation and proposals for amendments to the Constitution necessary to carry its recommendations into effect.

Messages from the Governor setting terms of bonds and notes, or for the de-authorization or authorization of bonds and notes shall be referred to the committee on Bonding, Capital Expenditures and State Assets.

18. The Speaker shall appoint, and may recommend the removal of, the Speaker pro Tempore, the Majority Floor Leader, Assistant Majority Floor Leader, and Second Assistant Majority Floor Leader. The Minority Leader shall appoint, and may recommend the removal of, the Assistant Minority Floor Leader, Second Assistant Minority Floor Leader, and Third Assistant Minority Floor Leader. The Minority Leader shall be that member of the minority party who is selected for that position by the members of his/her party.

Each of the foregoing appointments and/or removals shall be ratified by a majority vote of the respective party caucus. In the event that an appointment is rejected by such caucus another appointment shall be made by the person designated to make the initial appointment, which shall also be subject to ratification in the same manner.

The Speaker shall appoint, and may recommend the removal of, the chair of each standing committee. The Speaker shall appoint, and may recommend the removal of, the vice chair and assistant vice chair of the Ways and Means committee and the vice chair of the Post Audit and Oversight committee.

The majority party shall then vote to accept or reject each such appointment and/or recommendation for removal by a majority vote.

In the event that any such appointment is rejected by the caucus, the procedure of this rule shall be repeated until an appointment for the said position has been approved by the caucus. A vacancy in any position to which the provisions of this section apply shall be filled in the same manner as provided in this section for original appointment.

The Speaker and the Minority Leader may, without a majority vote of their respective parties, remove a member appointed to pursuant to this rule who has been criminally indicted by a court of competent jurisdiction.

[Amended Jan. 16, 1979; Nov. 17, 1983; Jan. 11, 1985; Jan. 9, 1991; Jan. 14, 1997, Jan. 23, 2007.]

18A. There shall be one member of the minority party on all committees of conference and one on the committee on Bills in the Third Reading. On all other standing and joint committees, the percent of minority party membership shall be at least equal to the percent of minority party membership in the House of Representatives as of the first day of the session; provided, further, that where such percentage results in a fraction of a number, the fraction shall be rounded off to the nearest whole; provided, however, that the minority party shall under no circumstances have less than four members on the committee on Ethics, four on the committee on Personnel and Administration, three on the committee on Rules and six on the committee on Ways and Means. In no case shall minority party representation be less than two members on all other standing and joint committees.

The Speaker and the Minority Leader shall appoint the members of their respective party caucuses to be assigned to each standing committee. The Speaker shall appoint the vice chair of each standing committee. The appointments, except those to which Rule 18 applies, shall be voted upon together and shall be subject to ratification by majority vote of the appropriate party caucus.

No member shall be removed from a standing committee except upon the recommendation of the Speaker or Minority Leader, as the case may be, subject to the ratification by their respective caucuses; provided, however, that the Speaker and the Minority Leader may, without a majority vote of their respective parties, remove a member appointed to pursuant to this rule who has been criminally indicted by a court of competent jurisdiction; and provided further, that if any vacancy occurs in a position to which Rule 18 does not apply, subsequent to the initial ratification, the Speaker or Minority Leader shall fill such vacancy.

The Speaker shall announce committee appointments of majority party members, and the member first named shall be chairman, and the second named member shall be vice-chairman. The Minority Leader shall announce committee appointments of minority party members. (13.)

[Adopted Jan. 11, 1985; Amended Jan. 12, 1987; Jan. 9, 1991; Jan. 14, 1997.]

18B. All votes on ratification by the caucus required by these rules shall be by written ballot and shall require a majority of those present and voting.

[Adopted Jan. 11, 1985.]

19. A majority and minority party caucus may be called by the Speaker or Minority Leader, respectively, or upon petition of twenty-five percent of the members of the respective party caucus. A caucus may entertain resolutions, motions, or other means of ascertaining the sense of the respective party members on any subject. (13B.)

[Adopted Nov. 17, 1983; Amended Jan. 11, 1985.]

19A. The majority party and minority party shall establish caucus rules that shall dictate the procedures of each caucus.

[Adopted Nov. 17, 1983; Amended Jan. 14, 1997.]

20. The committee on Ways and Means shall report in appropriation bills the total amount appropriated. The General Appropriation Bill shall be available to the members at least seven calendar days prior to consideration thereof by the House. [25.] (27A.)

[Amended Jan. 11, 1985; Mar. 24, 1986; Jan. 14, 1997; Jan. 26, 2005.]

20A. Notwithstanding the provisions of Rule 33A, amendments to the General Appropriation Bill shall be filed with the Clerk of the House in a format to be determined by the Clerk by five o'clock P.M. within the close of three business days of said General Appropriation bill being made available in a format to be determined by the Clerk and release of said document by said Clerk if the release of said document occurs by two o'clock P.M. Otherwise, the day following the release shall be considered the first business day. The Clerk, with the assistance of the committee on Ways and Means, shall categorize the subject-matter of the amendments and arrange such amendments for consideration sequentially by subject as appearing in the published version of the General Appropriation Bill, or the Clerk, with the assistance of the committee on Ways and Means, shall categorize the subject-matter of the amendments and arrange such subject matters for consideration as determined by the committee on Ways and Means. Debate on the General Appropriation Bill shall not commence until a date and time to be determined by the House which is subsequent to the designated time established for filing of amendments.

Before the main question on the General Appropriation Bill is placed before the House, an amendment may be postponed or withdrawn at the request of the primary sponsor of the amendment or postponed by the committee on Ways and Means; provided that further consideration of any amendment so postponed shall take place immediately subsequent to consideration of the amendments within the particular subject-matter to which the postponed amendment was assigned according to the provisions of paragraph one of said rule; provided that if more than one amendment is so postponed, subsequent consideration of said amendments shall be in the order determined by the committee on Ways and Means; provided further, an amendment so postponed shall not be subsequently considered outside of its assigned subject-matter; and provided further, that notwithstanding the provisions of Rule 33A, amendments submitted to the Clerk shall be in a format to be determined by the Speaker in consultation with said Clerk and shall include an original copy only; and provided further that perfecting or substitute amendments, including, but not limited to an amendment consolidating more than one amendment, may be submitted by the committee on Ways and Means during consideration of the subject category to which the amendment or amendments were assigned; provided, however, that an amendment may be removed from the consolidated amendment at the request of the sponsor of said amendment for the purpose of it being offered as a further amendment to the consolidated amendment.

[Adopted Jan. 24, 2001; Amended Jan. 9, 2003; Jan. 26, 2005, Jan. 23, 2007; Jan 20, 2011.]

20B. When the General Appropriation Bill is reported by the committee on Ways and Means it shall be made available to all members electronically and to the public via the Internet in a format to be determined by the Speaker in consultation with the Clerk. The committee on Ways and Means shall provide the membership with a copy of its proposed text of said General Appropriation Bill, and an executive summary which shall include a list of outside sections, and a short summary of each outside section prior to full House consideration of such bill. When the House considers said General Appropriation Bill, it shall be read a second time and forthwith ordered to a third reading without any amendments. The bill shall be immediately read a third time and then be open to amendments as previously determined by the House.

[Adopted Jan. 9, 2003, Jan. 23, 2007.]

21. Whenever the committee on Ways and Means reports an appropriation bill or capital outlay bill, it shall make available to the members a report which includes an explanation of any increase or decrease of five percent or more which results in an increase or decrease of one million dollars or more for any item for which the Governor has made a recommendation, and an explanation for the deletion of an item recommended by the Governor, and for the addition of an item for which the Governor has made no recommendation. [25A.] (27A.)

22. Bills and resolves when ordered to a third reading shall be referred forthwith to the committee on Bills in the Third Reading, which shall examine and correct them, for the purpose of avoiding repetitions and unconstitutional provisions, and insuring accuracy in the text and references, and consistency with the language of existing statutes; but any change in the sense or legal effect, or any material change in construction, shall be reported to the House as an amendment.

The committee may consolidate into one bill any two or more related bills referred to it, whenever legislation may be simplified thereby.

Resolutions received from and adopted by the Senate or introduced or reported into the House, after they are read and before they are adopted, shall be referred to the committee on Bills in the Third Reading.

Amendments of bills, resolves and resolutions adopted by the Senate and sent to the House for concurrence, shall, subsequently to the procedure required by rule thirty-five in respect to amendments, also be referred, in like manner, to the committee on Bills in the Third Reading.

When a bill, resolve or resolution has been so referred, no further action shall be taken until report thereon has been made by the committee. Accompanying said report shall be a written explanation prepared by the committee defining any changes made in a bill, resolve or resolution so as to facilitate the proceedings of the House.

If a bill or resolve referred to the committee on Bills in the Third Reading requires a two-thirds vote because it contains an emergency preamble, or if it provides for the borrowing of money by the Commonwealth and comes within the provisions of Section 3 of Article LXII of the Amendments to the Constitution, or provides for the giving, loaning or pledging of the credit of the Commonwealth and comes within the provisions of Section 1 of Article LXII (as amended by Article LXXXIV) of the Amendments to the Constitution, or provides, upon recommendation of the Governor, for a special law relating to an individual city or town and comes within the provisions of clause (2) of Section 8 of Article LXXXIX of the Amendments to the Constitution or provides for environmental protection within the provisions of Article XLIX as amended by Article XCVII, the committee shall plainly indicate the fact on the outside of the bill or resolve, or on a wrapper or label attached thereto. [26.] (33.)

[Amended Jan. 12, 1983; Jan. 11, 1985; May 5, 1993.]

23. Bills and resolves prepared for final passage shall be certified by the Clerk of the House, after comparison, to be the same as the bills or resolves passed to be engrossed; and if found to be properly prepared, the Clerk shall so endorse on the envelope thereof; and the question on enactment or final passage or adopting an emergency preamble shall be taken thereon, without further reading, unless specifically ordered.

When a bill or resolve prepared for final passage contains an emergency preamble or when it provides for the borrowing of money by the Commonwealth and comes within the provisions of Section 3 of Article LXII of the Amendments to the Constitution, or provides for the giving, loaning or pledging of the credit of the Commonwealth and comes within the provisions of Section 1 of Article LXII (as amended by Article LXXXIV) of the Amendments to the Constitution, or provides, upon recommendation of the Governor, for a special law relating to an individual city or town and comes within the provisions of clause (2) of Section 8 of Article LXXXIX of the Amendments to the Constitution, or provides for environmental protection within the provisions of Article XLIX as amended by Article XCVII, the Clerk shall plainly indicate the fact on the envelope thereof. [27.] (34.) [See Rule 40.]

[Amended Jan. 12, 1983.]

23A. No member of the House, except the Speaker, Speaker pro tempore, Majority Leader, Assistant Majority Leader, Second Assistant Majority Leader, Minority Leader, Assistant Minority Leader, Second Assistant Minority Leader, Third Assistant Minority Leader, Vice-Chairperson of the Committee on Ways and Means, Assistant Vice-Chairperson of the Committee on Ways and Means and committee chairmen with respect to committee business, shall receive privileges or compensation for postage which is greater than seventy-five percent of the amount allowed as standard practice during the 186th biennial session of the General Court, as determined by the House Business Manager. [Adopted Jan. 11, 1985; Amended Jan. 24, 2001; Jan. 26, 2005; Jan. 20, 2011.]

24. (1) Petitions, recommendations and reports of state officials, departments, commissions and boards, special reports including legislation initiated by the Committee on Ethics Pursuant to Rule 16, legislation initiated by the committee on Bonding, Capital Expenditures and State Assets pursuant to Rule 17G and reports of special committees and commissions, shall be filed with the Clerk in a format to be determined by said Clerk, who shall, unless they are subject to other provisions of these rules or the rules of the two branches, refer them, with the approval of the Speaker, to the appropriate committees, subject to such change of reference as the House may make. The reading of all such documents may be dispensed with, but they shall be entered in the Journal of the same or the next legislative day after such reference except as provided in joint rule thirteen.

(2) All orders, including motions or orders proposed for joint adoption, resolutions and other papers intended for presentation, except those hereinbefore mentioned, shall be filed with the Clerk in a format to be determined by said Clerk, who shall, prior to the procedure required by other provisions of these rules or of the rules of the two branches, refer them to the committee on Rules.

(3) Petitions and other papers so filed which are subject to the provisions of joint rule seven A, seven B, or nine, shall be referred by the Clerk to the committee on Rules. Petitions and other papers so filed, which are subject to the provisions of the second paragraph of Joint Rule 12, shall, prior to the procedure required by said rule, be referred by the Clerk to the committee on Rules. The reading of all such papers may be dispensed with, but they shall be entered in the Journal of the same or the next legislative day after such reference.

(4) Matters which have been placed on file during the preceding year may be taken from the files by the Clerk upon request of any member or member-elect; and matters so taken from the files shall be referred or otherwise disposed of as provided above.

(5) Recommendations and special reports of state officials, departments, commissions and boards, reports of special committees and commissions, bills and resolves accompanying petitions, recommendations and reports, and resolutions shall be made available under the direction of the Clerk, who may cause to be made available, with the approval of the Speaker, any other documents filed as herein provided.

(6) All such legislation and reports filed with the Clerk shall be submitted in a format prescribed by said Clerk. Said documents shall contain the name or names of the primary sponsors and a list of the names of all petitioners praying for the legislation. Additional names may be added to the list of the petitioners; provided, however, that, such additional names shall be submitted in a format to be determined by the Clerk.

(7) Any petition so submitted that is a refile of a measure submitted in a previous session shall include, in the appropriate space provided, the session year for which the measure was filed and the House or Senate bill number or docket number assigned to such measure in such previous session.

(8) Debate upon the suspension of this rule shall be limited to ten minutes, three minutes for each member, and the Speaker shall recognize the member presenting the order, resolution or petition first; provided, however, that suspension of this rule shall require unanimous consent of the members present. Any order, except such order that would amend the Rules of the House, resolution or petition referred to the committee on Rules after the question of suspension of this rule has been negatived, or any order, resolution or petition filed after the beginning of the session and referred to the committee on Rules, shall not be discharged from said committee except by unanimous consent of the House. Motions to discharge the committee on Rules shall be subject to the provisions of paragraph 2 of Rule 28. [28.] (20.) [See Rules 36 and 85.]

[Amended April 27, 1981; Jan. 9, 1989; Jan. 9, 1991; Jan. 26, 2005.]

25. Every petition for legislation shall be accompanied by a bill or resolve embodying the legislation prayed for. [29.] [See Joint Rule 12.]

26. When the object of an application can be secured without a special act under existing laws, or, without detriment to the public interests, by a general law, the committee to which the matter is referred shall report such general law or ought not to pass, as the case may be. The committee may report a special law on matters referred to it upon (1) a petition filed or approved by the voters of a city or town, or the mayor and city council, or other legislative body, of a city, or the town meeting of a town, with respect to a law relating to that city or town; (2) a recommendation by the Governor; or (3) matters relating to erecting and constituting metropolitan or regional entities, embracing any two or more cities and towns, or established with other than existing city or town boundaries, for any general or special public purpose or purposes. [30.] (16.) [See Joint Rule 7.]

27. With the exception of matters referred to the committee on Rules under the provisions of paragraph (3) of rule twenty-four, committees shall report on all matters referred to them. The committee on Ways and Means shall report the General Appropriation Bill not later than the second Wednesday of May; and provided further that said committee shall make available to the members all data compiled for justification of budgetary recommendations in all appropriation bills. [33.]
[Amended April 18, 1979; Jan. 14, 1997.]

27A. [Omitted Jan. 23, 2007.]

28. (1) Motions directing the committee on Ways and Means to report certain matters to the House, or motions discharging said committees from further consideration of certain matters, shall not be considered until the expiration of seven calendar days and shall require a majority vote of the members present and voting for adoption. Committees so directed to report shall file a report with the Clerk within four legislative days. The committee on Ways and Means may not be directed to report or be discharged from further consideration of any appropriation or capital outlay measure.

(2) The committee on Rules, except as provided in Rule 24, and the committee on Bills in the Third Reading shall not be discharged from consideration of any measure or be directed to report on any measure within ten calendar days of its reference without the unanimous consent of the House, or after such ten day period except by a vote of a majority of the members present and voting thereon.

(3) Matters discharged under the provisions of this rule shall be placed in the Orders of the Day for the next sitting. Petitions discharged under the provisions of this rule shall be considered as favorably reported and the bill, resolve, resolution or order accompanying such petitions shall be placed in the Orders of the Day for the next sitting.

(4) During the last week of the session the provisions of paragraphs (1) and (3) of this rule shall be inoperative.

(5) A second motion to discharge a matter from a committee or a second motion to direct a committee to report a matter shall not be entertained until the first such motion has been disposed of.

(6) As an alternative procedure to that provided under the provisions of this rule, the members of the House may, by filing a petition signed by a majority of the members elected to the House, discharge the House committee on Ways and Means, the House committee on Bills in the Third Reading, and the House committee on Rules from further consideration of a legislative matter. Seven days following the filing of the petition with the House Clerk, the committee shall be discharged from further consideration of the legislative matter specified in the petition and the House Clerk shall place the matter in the Orders of the Day for the next calendar day that the House is meeting.

(7) For the purpose of this rule, matters not appearing on the Calendar which are not before any committee shall be deemed to be before the Rules committee. Notwithstanding the previous sentence, a bill which has been engrossed by the House and Senate, shall be placed before the House for enactment. Any member may request to the House that a matter, engrossed in the House and Senate, returned for final passage by the engrossing division and reviewed and released by the Committee on Bills in Third Reading be placed before the House for enactment. The Speaker shall, in response to such a request of a member, put the matter before the House at the conclusion of the matter then pending.

(8) This rule shall not be suspended unless by unanimous consent of the members present. (27C, 32A.)

[Amended Jan. 12, 1981; April 27, 1981; Jan. 12, 1983; Nov. 17, 1983; Jan. 11, 1985; Jan. 9, 1989; Jan. 9, 1991; Jan. 24, 2001; Jan. 9, 2003; Jan. 26, 2005, Jan. 23, 2007.]

28A. The committee on Bills in the Third Reading shall report on a legislative matter not later than forty-five days following the day the matter was referred to it. The Clerk shall indicate on the Calendar entry of every matter before the Committee on Bills in the Third Reading the date that said matter was referred to said committee.

[Adopted Jan. 11, 1985; Amended Jan. 9, 2003.]

REGULAR COURSE OF PROCEEDINGS.

Petitions.

29. The member presenting a petition shall endorse his/her name thereon; and the reading thereof shall be dispensed with, unless specially ordered. [37.] (18.)

[Amended Jan. 11, 1985.]

Motions Contemplating Legislation, etc.

30. All motions contemplating legislation shall be founded upon petition, except as follows:

The committee on Ways and Means may originate and report appropriation bills as provided in rule twenty. Messages from the Governor shall, unless otherwise ordered, be referred to the appropriate committee, which may report by bill or otherwise thereon. A similar disposition shall, unless otherwise ordered, be made of reports by state officers and committees authorized to report to the Legislature, and similar action may be had thereon.

Messages from the Governor returning appropriation bills, or parts of appropriation bills, with objections or reductions of sections or items thereof, shall be reconsidered subsequent to a report of the committee on Ways and Means. [40.] (19.)

[Amended Jan. 24, 2001.]

Bills and Resolves.

31. Bills shall be drafted in a format approved by the Counsel to the House and submitted in a format to be determined by the Clerk. Bills amending existing laws shall not provide for striking words from, or inserting words in, such laws, unless such course is best calculated to show clearly the subject and nature of the amendment. No repealed law, and no part of any repealed law, shall be re-enacted by reference merely. [42.] (17.)

[Amended Jan. 9, 2003; Jan. 26, 2005.]

32. If a committee to which a bill is referred reports that the same ought not to pass, the question shall be "Shall this bill be rejected?". If the question on rejection is negatived, the bill, if it has been read but once, shall go to a second reading without question; otherwise it shall be placed in the Orders of the Day for the next day, pending the question on ordering to a third reading, or to engrossment, as the case may be. [43.] (30.)

32A. [Omitted Jan. 26, 2005.]

33. Bills involving an expenditure of public money or grant of public property, or otherwise affecting the state finances, unless the subject matter has been acted upon by the joint committee on Ways and Means, shall, after their first reading, be referred to the committee on Ways and Means, for report on their relation to the finances of the Commonwealth.

New provisions shall not be added to such bills by the committee on Ways and Means, unless directly connected with the financial features thereof.

Orders reported in the House or received from the Senate involving the expenditure of public money for special committees, shall, before the question is taken on the adoption thereof, be referred to the committee on Ways and Means, whose duty it shall be to report on their relation to the finances of the Commonwealth.

Every such bill involving a capital expenditure for new projects, or an appropriation for repairs, or any legislation, the cost of which, in the opinion of the committee, exceeds the sum of one hundred thousand dollars when reported into the House by the committee on Ways and Means, shall be accompanied by a fiscal note indicating the amount of public money which will be required to be expended to carry out the provisions of the proposed legislation, together with an estimate of the cost of operation and maintenance for the first year if a new project is involved. [44.] (27.)

[Amended April 18, 1979; Jan. 12, 1981; Jul. 17, 2003; Jan. 26, 2005.]

33A. Copies of all bills shall be available, in a format to be determined by the Speaker in consultation with the Clerk, to all members of the House and the public at least twenty-four hours in advance of consideration by the House.

All amendments offered by members to any legislative matter in the House shall be submitted in a format to be determined by the Speaker in consultation with the Clerk; and shall be considered chronologically as submitted to the Clerk, except for an amendment in the second degree; provided that all of said amendments shall be double spaced and drafted in proper form; and provided further that there shall be available to the members a duplicate copy of each amendment. (33A.)

[Adopted Nov. 17, 1983; Amended Nov. 28, 1984; Jan. 12, 1987; Jan. 9, 1991; Jan. 17, 1995l; Jan. 9, 2003; Jan. 26, 2005, Jan. 23, 2007.]

33B. [Omitted Jan. 26, 2005.]

33C. [Omitted Jan. 26, 2005.]

33D. [Omitted Jan. 26, 2005.]

33E. No consolidated amendment offered by the committee on ways and means shall be considered by the House until the expiration of at least thirty minutes after the consolidated amendment shall have been first filed with the Clerk and made available to the members. This rule shall not be suspended unless by unanimous consent of the members present.

[Added Feb. 4, 2010.]

34. Bills from the Senate, after their first reading, shall be referred to a committee of the House. [45.] (26.)

[Amended Jan. 26, 1999.]

35. Amendments proposed by the Senate, and sent back to the House for concurrence, shall be referred to the committee on Bills in Third Reading, provided that amendments affecting state finances shall be referred to the committee on Ways and Means on the part of the House. [46.] (36.)

[Amended April 18, 1979; Jan. 12, 1981; Jan. 26, 2005, Jan. 23, 2007.]

36. No bill shall be proposed or introduced unless received from the Senate, reported by a committee, or moved as an amendment to the report of a committee. [47.] (36.)

37. Bills, resolves and other papers that have been, or, under the rules or usage of the House, are to be made available in a format to be determined by the Speaker in consultation with the Clerk, shall be read by their titles only, unless the full reading is requested by vote of a majority of those members present and voting.

[Amended Jan. 9, 2003, Amended, Jan. 23, 2007.] [48.] (29.)

38. When a bill, resolve, order, petition or memorial has been finally rejected or disposed of by the House, no measure substantially the same shall be introduced by any committee or member during the same session. This rule shall not be suspended unless by unanimous consent of the members present. [49.] (54.)

39. No bill shall be passed to be engrossed without having been read on three separate legislative days. [51.] (28.)

[Amended Jan. 11, 1985.]

40. No engrossed bill shall be amended, except by striking out the enacting clause. A motion to strike out the enacting clause of a bill shall be received when the bill is before the House for enactment. If the bill contains an emergency preamble, a motion to suspend this rule may be received before the adoption of the emergency preamble and, if suspended, the amendment may contain a new emergency preamble. This rule shall not apply to a bill or resolve returned by the Governor with a recommendation of amendment in accordance with the provisions of Article LVI of the Amendments to the Constitution; nor shall it apply to amendments of engrossed bills proposed by the Senate and sent to the House for concurrence, which amendments shall be subject to the provisions of rule thirty-five, provided, however, that a motion to suspend this rule shall be required in order to amend such an engrossed bill when the question before the House is on adoption of an emergency preamble, reenactment or enactment, as the case may be.. [53.] (49.) [Amended, Jan. 23, 2007; Jan. 20, 2011.]

41. Bills received from the Senate and bills reported favorably by committees, when not referred to another standing committee of the House, shall, prior to being placed in the Orders of the Day, be referred to the committee on Steering, Policy and Scheduling. Resolutions received from and adopted by the Senate, or reported in the House by committees, shall, if proposed for joint adoption, be referred to said committee on Steering, Policy and Scheduling. [56.] (26.)

[Amended Jan. 14, 1997; Jan. 26, 1999.]

42. Reports of committees, not by bill or resolve, including orders if proposed for joint adoption, after they are received from the Senate, or made in the House, as the case may be, shall, unless subject to the provisions of any other House or joint rules, be referred to the committee on Steering, Policy and Scheduling; provided that the report of a committee asking to be discharged from further consideration of a subject, and recommending that it be referred or recommitted to another committee, or a report of a committee recommending that a matter be placed on file, shall be immediately considered. Reports of committees on proposals for amendments to the Constitution shall be dealt with in accordance with the provisions of joint rule twenty-three. [57.] (36.)

[Amended Jan. 14, 1997.]

42A. The Clerk shall, prior to three o'clock P.M., on the day preceding a session, make available by electronic communication or other means, a list of all reports of the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of subjects, and recommending that the subjects be referred to other committees.

[Adopted Jan. 26, 2005.]

43. Bills ordered to a third reading shall be placed in the Orders of the Day for the next day for such reading. [58.] (32.)

Special Rules Affecting the Course of Proceedings.

44. The Speaker may designate when an informal session of the House shall be held provided said Speaker gives notice of such informal session at a prior session of the House. The Speaker may, in cases of emergency, cancel a session or declare any session of the House to be an informal session. At an informal session the House shall only consider reports of committees, papers from the Senate, bills for enactment or resolves for final passage, bills containing emergency preambles and the matters in the Orders of the Day. Motions to reconsider moved at such informal session shall be placed in the Orders of the Day for the succeeding day, and no new business shall be entertained, except by unanimous consent.

Formal debate, or the taking of the sense of the House by yeas and nays shall not be conducted during such informal session.

Upon the receipt of a petition signed by at least a majority of the members elected to the House, so requesting, the Speaker shall, when the House is meeting in informal session under the provisions of Joint Rule 12A, designate a formal session, to be held within seven days of said receipt, for the purpose of considering the question of passage of a bill, notwithstanding the objections of the Governor, returned pursuant to Article 2, Section 1, Clause 1, Part 2 of the Massachusetts Constitution. This rule shall not be suspended unless by unanimous consent of the members present. [59.] (5A.)

[Amended Jan. 11, 1985; Jan. 12, 1987; Jan. 17, 1995; Jan. 14, 1997; Jan. 24, 2001; Jan. 9, 2003.]

45. After entering upon the consideration of the Orders of the Day, the House shall proceed with them in regular course as follows: Matters not giving rise to a motion or debate shall first be disposed of in the order in which they stand in the Calendar; after which the matters that were passed over shall be considered in like order and disposed. The provisions of this paragraph shall not be suspended unless by unanimous consent of the members present.

Notwithstanding the provisions of this rule, during consideration of the Orders of the Day, the committee on Ways and Means and the committee on Bills in the Third Reading may present matters for consideration of the House after approval of two-thirds of the members present and voting, without debate. [59.] (37.) [See Rule 47.]

[Amended Jan. 12, 1981; Jan. 12, 1983.]

46. When the House does not finish the consideration of the Orders of the Day, those which had not been acted upon shall be the Orders of the Day for the next and each succeeding day until disposed of, and shall be entered in the Calendar, without change in their order, to precede matters added under Rule seven A; provided, however, that all other matters shall be listed in numerical order by Calendar item.

The unfinished business in which the House was engaged at the time of adjournment shall have the preference in the Orders of the Day for the next day. [60.] (35.)

[Amended Jan. 12, 1987; Jan. 26, 1999.]

47. No matter which has been duly placed in the Orders of the Day shall be discharged therefrom, or considered out of the regular course. [61.] (38.) [See Rule 45.]

Voting.

48. Members desiring to be excused from voting shall make application to that effect before the division of the House or the taking of the yeas and nays is begun. Such application may be accompanied by a brief statement of reasons by the member. A member absent from the House for a formal session period of a day or longer shall notify the Clerk in writing of the intended absence. A member absent during a formal session for an extended period or for the remainder of the session shall notify the Clerk in person. The Clerk shall provide a written notice to any such absent member.

The Clerk shall disable the voting station of any such member notifying the Clerk of an absence pursuant to this Rule. The Clerk shall also disable the voting station of any member failing to answer the first non-quorum roll call of a legislative sitting; provided, however, that the Clerk shall reactivate the voting station upon receiving notification of the member's return to the House Chamber. ([64.] (57.)

49. If the presence of a quorum is doubted, a count of the House shall be made. When a yea and nay vote is taken, the members, with the exception of the Speaker, shall vote only from their seats. A member who has been appointed by the Speaker to perform the duties of the Chair, or a person who has been elected Speaker pro tempore, may designate some member or a court officer to cast a vote for him/her on any vote taken on the electronic voting system while such member is presiding. Said designated member performing the duties of the Chair, or Speaker pro tempore, may, if the Speaker is in the State House, cast a vote for the Speaker. The Speaker shall state the pending question before opening the system for voting.

The Speaker may direct the Clerk to cast a vote for a member who is in the House Chamber, but who is unable to vote due to a malfunction of his/her voting station or inability to open his/her voting station.

Except in the case of a vote to ascertain the presence of a quorum, if a member is prevented from voting personally using the electronic voting system because of physical disability, said member shall, if present in the State House, be excused from so voting and the Speaker shall assign a court officer to cast said member's vote so long as said physical disability continues; provided that the Speaker shall announce the action of the Chair to the membership prior to assigning a court officer to cast the member's vote and provided further that the Speaker shall announce the action to the membership the first time a vote is cast for that member on each successive day. [65.]

[Amended April 18, 1979; Jan. 12, 1987; Jan. 9, 1991; Jan. 9, 2003; Jan. 20, 2011.]

50. When a question is put, the sense of the House shall be taken by the voices of the members, and the Speaker shall first announce the vote as it appears to the Speaker by the sound. If the Speaker is unable to decide by the sound of the voices, or if the announcement made thereupon is doubted by a member rising in his/her place for that purpose, the Speaker shall order a division of the number voting in the affirmative and in the negative, without further debate upon the question. [66.] (55.)

[Amended Jan. 11, 1985.]

51. When a return by division of the members voting in the affirmative and in the negative is ordered, the members for or against the question, when called on by the Speaker, shall rise in their places, and stand until they are counted. If, upon the taking of such a vote, the presence of a quorum is doubted, a count of the House shall be had, and if a quorum is present the vote shall stand. [67.]

52. The sense of the House shall be taken by yeas and nays whenever required by ten percent of the members elected. The Speaker shall, after waiting up to an interval of twelve minutes, state the pending question and, after opening the electronic voting system, instruct the members to vote for not less than two minutes and no more than twenty-two minutes, the Speaker shall close said system and cause totals to be displayed and a record made of how each member present voted; provided, that if at any time during said voting period any standing, joint or conference committee is meeting in public or executive sessions, the Speaker shall leave the electronic voting machine open for not less than 5 minutes.

Any member desiring to be recorded as being "present" when a yea and nay vote is taken on the electronic roll call system shall so notify the Clerk in person after said vote is ordered and before the vote is announced.

In the event the electronic voting system is not in operating order, the roll of the House shall be called in alphabetical order; provided, however, that no member shall be allowed to vote or to answer "present" who was not on the floor before the vote is declared; provided, however, that a member, who was in the State House on a previous roll call, may be recorded by reporting to the Clerk within five minutes after such vote is closed, unless objection is made thereto and it is seconded; and provided further that the presiding officer shall not, for said purpose, interrupt the member who is speaking on the floor; provided, however, that such request may be announced to the House subsequent to the five minutes. The Speaker shall not entertain any requests beyond said five minute period. Once the voting has begun it shall not be interrupted except for the purpose of questioning the validity of a member's vote before the result is announced. Except as heretofore provided, any member who shall vote or attempt to vote for another member or any person not a member who votes or attempts to vote for a member, or any member or other person who willfully tampers with or attempts to impair or destroy in any manner whatsoever the voting equipment used by the House, or change the records thereon shall be punished in such manner as the House determines; and provided further, that such a violation shall be reported to the Ethics Committee. [68.] (56, 57.)

[Amended Jan. 12, 1983; Jan. 11, 1985; Jan. 12, 1987; Jan. 9, 1991; Jan. 24, 2001; Jan. 9, 2003; Jan. 26, 2005; Jan 20, 2011.]

53. The call for yeas and nays shall be decided without debate. If the yeas and nays have been ordered before the question is put, the proceedings under rules fifty and fifty-one relative to verification of the vote by the voices of the members or by a return of divisions shall be omitted; if not, they may be called for in lieu of a return by divisions when the Speaker's announcement is doubted by a member rising in his/her place, and, if then ordered, the proceedings under rules fifty and fifty-one shall be omitted. [69.] (52.)

[Amended Jan. 26, 1999.]

Reconsideration.

54. No motion to reconsider a vote shall be entertained unless it is made on the same day on which the vote was taken, or before the Orders of the Day have been taken up on the next day thereafter on which a quorum is present. If reconsideration is moved on the same day, the motion shall be placed first in the Orders of the Day for the succeeding day; but, if it is moved on the succeeding day, the motion shall be considered forthwith except that if said motion is moved on a day on which an informal session has been designated, it shall be placed in the Orders of the Day for the succeeding day. If reconsideration is moved after July first of the second annual session and thereafter, on any main question, it shall be considered forthwith. This rule shall not prevent the reconsideration of a vote on a subsidiary, incidental or dependent question at any time when the main question to which it relates is under consideration; and provided, further, that a motion to reconsider a vote on any subsidiary, incidental or dependent question shall not remove the main subject under consideration from before the House, but shall be considered at the time when it is made. This rule shall not be suspended unless by unanimous consent of the members present. [70.] (53.)

[Amended Jan. 12, 1981, Jan. 23, 2007.]

55. When a motion for reconsideration is decided, that decision shall not be reconsidered, and no question shall be twice reconsidered; nor shall any vote be reconsidered upon any of the following motions:

to recess,
to adjourn,
on sustaining a ruling of the Chair,
to close debate at a specified time,
to postpone if voted in the negative,
to discharge or direct a committee to report,
to commit or recommit,
for second or subsequent legislative days,
for the previous question, or
for suspension of rules.

This rule shall not be suspended unless by unanimous consent of the members present. [71.] (53.)

[Amended Jan. 12, 1981; Jan. 12, 1983; Jan. 9, 1991.]

56. Debate on motions to reconsider shall be limited to fifteen minutes, and no member shall occupy more than three minutes, but on a motion to reconsider a vote upon any subsidiary or incidental question, debate shall be limited to ten minutes, and no member shall occupy more than three minutes.

If the House has voted to close debate on any question, a motion to reconsider said question shall be decided without debate. [72.] (52.)

[Amended Jan. 12, 1981; Jan. 12, 1987.]

RULES OF DEBATE.

57. Every member, when about to speak, shall rise and respectfully address the Speaker and shall confine himself/herself to the question under debate. [73.] (39.)

[Amended Jan. 11, 1985.]

58. Every member while speaking shall avoid personalities; and shall sit down when finished. No member shall speak out of his/her place without leave of the Speaker. [73.] (39.)

When two or more members rise at the same time, the Speaker shall name the member entitled to the floor, preferring one who rises in his/her place to one who does not. [74.] (40.)

[Amended Jan. 11, 1985.]

59. If a member repeatedly violates any of the rules of the House, or disrupts the orderly procedure of the House, the Speaker, after warning the member of such violations, shall call the member to order, and order that member to take his/her seat. A member so called to order shall lose the right to speak on the pending subject-matter but shall not be debarred from voting. A member so called to order shall remain seated until the House begins consideration of another subject-matter or unless the Speaker earlier returns to the member his/her rights to the floor.

If a member so called to order refuses to immediately take his/her seat, the Speaker shall immediately name that member, who shall be escorted from the Chamber under escort of the Sergeant-at-Arms. The matter shall thereupon, on motion, be referred to a special committee of three to be appointed by the Speaker. Said special committee shall make a report to the House of its recommendations, which report shall be read and accepted.

Having been named, a member shall not be allowed to resume his/her seat until said member has complied with the recommendations of the committee as accepted by the House.

If, after a member is seated or named, the action of the Speaker is appealed, the House shall decide the case by a majority vote of the members present and voting, but if there is no immediate appeal, the decision of the Speaker shall be conclusive.
[Amended Jan. 12, 1981; Jan. 11, 1985.]

60. No member shall interrupt another while speaking except by rising to a point of order, to a question of personal privilege, to doubt the presence of a quorum, or to ask the person speaking to yield.

Members may rise to explain matters personal to them by leave of the presiding officer, but shall not discuss pending questions in such explanations.

Questions of personal privilege shall be limited to questions affecting the rights, reputation, and conduct of the member in his/her representative capacities.

Members may rise to ask questions of parliamentary inquiry concerning the pending matter by leave of the presiding officer, but shall not debate the pending questions. [75.] (42.)
[Amended Jan. 12, 1981.]

61. No member shall speak more than once to the prevention of those who have not spoken and desire to speak on the same question.

This prohibition shall not apply to those members designated by the committee or committees reporting the bill.

No member shall occupy more than thirty minutes at a time while speaking on any question where debate is unlimited.

Unless the operation of another rule provides to the contrary (such as previous question, limitation of debate, etc.), no member shall be prohibited from speaking more than once on any question when no other member who has not spoken is seeking recognition by the Chair. [76.] (41.)

Motions.

62. Every motion shall be reduced to writing, if the Speaker so directs. [77.] (44.)

63. A motion need not be seconded, except an appeal from the decision of the Chair, and may be withdrawn by the mover if no objection is made. [78.] (44.)
[Amended Jan. 12, 1981.]

Limit of Debate.

64. A motion to recess or adjourn shall always be first in order, and shall be decided without debate; and on the motions to close debate at a specified time, to postpone to a time certain, to commit or recommit, not exceeding ten minutes shall be allowed for debate, and no member shall speak more than three minutes. On the motion to discharge any committee, or on a motion directing any committee to report matters before it, not exceeding fifteen minutes shall be allowed for debate, and no member shall speak more than three minutes.

If the main motion is undebatable, any subsidiary or incidental motion made relating to it shall also be decided without debate. [79.] (52.) [See Rules 56 and 83.]
[Amended Jan. 12, 1981.]

64A. Debate on the question on adoption of orders for second and subsequent legislative days shall be limited to ten minutes, and no member shall speak more than three minutes. After entering into a second or subsequent legislative day, the House shall immediately proceed to consideration of engrossed bills, reports of committees, papers from the Senate or the Orders of the Day. This rule shall not be suspended unless by unanimous consent of the members present.

[Adopted Jan. 12, 1983.]

65. When a question is before the House, until it is disposed of, the Speaker shall receive no motion that does not relate to the same, except the motion to recess or adjourn or some other motion that has precedence either by express rule of the House, or because it is privileged in its nature; and the Speaker shall receive no motion relating to the same, except,—

for the previous question, ...	See Rules 66, 67 and 68
to close debate at a specified time, ...	See Rules 64, 69 and 70
to postpone to a time certain, ...	See Rules 64 and 70
to commit (or recommit), ...	See Rules 64 and 71
to amend, ...	See Rules 72, 73, 74 and 75

— which several motions shall have precedence in the order in which they are arranged in this rule. [80.] (46.)

[Amended Jan. 11, 1985.]

Previous Question.

66. Any member may call for the previous question on the main question.

The previous question shall be put in the following form: "Shall the main question be now put?" and all debate on the main question shall be suspended until the previous question is decided.

The adoption of the previous question shall require the affirmative vote of two-thirds of the members present and voting and shall put an end to all debate, and bring the House to direct vote upon pending amendments, if any, in their regular order, and then upon the main question.

A motion to reconsider the vote on any of the pending amendments shall be decided without debate. [81.]

[Amended Jan. 12, 1981.]

67. Any member may call for the previous question on any pending amendment.

The previous question shall be put in the following form: “Shall the question on adoption of the amendment be now put?” and all debate shall be suspended until the previous question is decided.

The adoption of the previous question on a pending amendment shall require the affirmative vote of two-thirds of the members present and voting and shall put an end to all debate and bring the House to a direct vote upon the pending amendment.

A motion to reconsider the vote on the pending amendment shall be decided without debate.
[Amended Jan. 12, 1981.]

68. The previous question shall be decided without debate.

Motion to Close Debate at a Specified Time.

69. Debate may be closed at any time not less than thirty minutes from the adoption of a motion to that effect. This rule shall not be suspended unless by unanimous consent of the members present. [85.] (47.)

Motion to Postpone to a Time Certain.

70. When a motion is made to postpone to a time certain, and different times are proposed, the question shall first be taken on the most remote time; and the time shall be determined before the question is put on postponement, which may then be rejected if the House sees fit. [87.] (51.)

Motion to Commit.

71. When a motion is made to commit, and different committees are proposed, the question shall be taken in the following order:

a standing committee of the House,
a select committee of the House,
a joint standing committee,
a joint selected committee;

and a subject may be recommitted to the same committee or to another committee at the pleasure of the House. [88.] (48.)

Motion to Amend.

72. A motion to amend an amendment may be received; but no amendment in the third degree shall be allowed. This rule shall not be suspended unless by unanimous consent of the members present. [89.]

[Amended Jan. 12, 1983.]

73. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment. This rule shall not be suspended unless by unanimous consent of the members present. [90.] (50.)

[Amended Jan. 12, 1987.]

73A. No motion to amend a report from the committee on Ways and Means or a report from the committee on Bills in the Third Reading, when such an amendment contains an expenditure of public money or an increase or decrease in taxes, shall be considered unless a brief explanation of the amendment is stated.

[Adopted Jan. 17, 1995; Amended Jan. 26, 1999.]

74. A question containing two or more propositions capable of division shall be divided whenever desired by any member, if the question includes points so distinct and separate that, one of them being taken away, the other will stand as a complete proposition. The motion to strike out and insert shall be considered as one proposition and therefore indivisible. The question on ordering a bill or resolve to a third reading, or to be engrossed, or to be enacted, or similar main motions shall be considered as indivisible under this rule. This rule shall not be suspended unless by unanimous consent of the members present. [91.] (45.)

[Amended Jan. 12, 1983.]

75. In filling blanks, the largest sum and longest time shall be put first. [92.] (51.) [See Rule 70.]

Declaration of Recess.

76. The Speaker may declare a recess of fifteen minutes duration, or less.

[Amended Jan. 9, 1991.]

APPEAL.

77. No appeal from the decision of the Speaker shall be entertained unless it is seconded; and no other business shall be in order until the question on the appeal has been disposed of. Debate shall be limited to fifteen minutes on the question of sustaining a ruling by the Chair, and no member shall occupy more than three minutes. [94.] (43A.) [See Rule 2.]

[Amended Jan. 9, 1989.]

RESOLVES.

78. Such of these rules as are applicable to bills, whether of the House or of the Senate, shall apply likewise to such resolves as require the concurrence of the Senate and approval by the Governor in order to become law and have force as such. [95.]

SEATS.

79. (1) The desk on the right of the Speaker shall be assigned to the use of the Clerk and such persons as he/she may employ to assist said Clerk, and that on the left to the use of the chairman and vice-chairman of the committee on Bills in the Third Reading.

(2) The Speaker shall assign members to vacant seats. The seat assigned to any member, other than seats assigned under paragraph (1) of this rule, shall be his/her seat for the year and for such additional years as said member may elect so long as service in the House remains continuous. An exchange of seats may be made with the approval of the Speaker. [98.]

[Amended Jan. 11, 1985; May 5, 1993.]

PRIVILEGE OF THE FLOOR.

80. The following persons shall be entitled to admission to the House of Representatives, during the session thereof, to stand in an area designated by the Speaker in the rear of the Chamber, unless otherwise invited by said Speaker to occupy seats not numbered:

(1) The Governor and the Lieutenant-Governor, members of the Executive Council, Secretary of the Commonwealth, Treasurer and Receiver-General, Auditor of the Commonwealth, Attorney-General, Librarian and Assistant Librarian.

(2) The members of the Senate.

(3) Persons in the exercise of an official duty directly connected with the business of the House.

(4) Contestants for seats in the House, whose papers are in the hands of a special committee of the House, may be admitted, while their cases are pending, to seats to be assigned by the Speaker.

No other person shall be admitted to the floor during the session, except upon the permission of the Speaker.

No legislative agent or counsel may be admitted to the floor of the House Chamber during a session unless that part of the session is ceremonial in nature in which no other legislative business is conducted.

The legislative reporters shall be entitled to the privileges of the reporters' galleries.

This rule shall not be suspended unless by unanimous consent of the members present. [99.] (60, 61.)
[Amended Jan. 9, 1991, Jan. 23, 2007.]

REPRESENTATIVES' CHAMBER AND ADJOINING ROOMS.

81. Use of the Representatives' Chamber shall be subject to the approval of the Speaker or the committee on Rules.

No legislative agent or counsel shall be admitted to the members' corridor or adjoining rooms. No other person shall be admitted to the members' corridor or adjoining rooms, except persons entitled to the privileges of the floor of the House unless upon written invitation of a member bearing the name of the member and the person the member invites. Upon entering, the invitation shall be given to the court officer assigned to the area. The provisions of this paragraph shall not apply if the purpose of admittance is to attend a meeting in an adjoining room to which members of the general public are allowed to attend.

No person shall be admitted to the north gallery of the House except upon a card of the Speaker.

Subject to the approval and direction of the committee on Rules during the session and of the Speaker after prorogation, the use of the reporters' galleries of the House Chamber shall be under the control of the organization of legislative reporters known as the Massachusetts

State House Press Association and the State House Broadcasters Association.

Every legislative reporter desiring admission to the reporters' galleries shall state in writing that he/she is not the agent or representative of any person or corporation interested in legislation before the General Court, and will not act as representative of any such person or corporation while retaining a place in the galleries; but nothing herein contained shall prevent such legislative reporter from engaging in other employment, provided such other employment is specifically approved by the committee on Rules and reported to the House.

All formal sessions of the House of Representatives shall be open to both commercial and public radio and television, except designated times during such sessions, as determined by the House, reserved for the consideration of non-controversial business which does not give rise to debate. The manner and conditions of such broadcasts shall be established by the Speaker. Television, radio or web-broadcasts may be prohibited on any given day by the Speaker with the approval of the House.

This rule shall not be suspended unless by unanimous consent of the members present. [100.] (59.)

[Amended April 18, 1979; Jan. 12, 1983; Jan. 12, 1987; Jan. 9, 1991; Jan. 26, 1999, Jan. 23, 2007.]

QUORUM.

82. Eighty-one members shall constitute a quorum for the organization of the House and the transaction of business. [See amendments to the Constitution, Art. XXXIII.]

In the event that a quorum is not present, the presiding officer shall compel the attendance of a quorum. During the absence of a quorum, no other business may be transacted or motions entertained except a declaration of adjournment or a recess by the Speaker. [105.]

[Amended Jan. 12, 1981; Jan. 14, 1997.]

DEBATE ON MOTIONS FOR SUSPENSION OF RULES.

83. The question of suspension of House rules 45, 47, 56, 61, 64, 66, 67, 68, 69, 77 and 83 shall be decided without debate. Debate upon the motion for the suspension of any other House rule, unless otherwise indicated, or any joint rule shall be limited to fifteen minutes and no member shall occupy more than three minutes. This rule shall not be suspended unless by unanimous consent of the members present. [102.] (52.)

[Amended Jan. 12, 1981; Jan. 9, 1989.]

84. Unless otherwise indicated, nothing in the House rules or joint rules shall be suspended, altered or repealed unless two-thirds of the members present and voting consent thereto. This rule shall not be suspended unless by unanimous consent of the members present. [103.] (63.)

[Amended Jan. 12, 1981.]

84A. The clerk may, due to technical limitations or upon exigent circumstances, elect to waive any requirement relative to the electronic availability and posting on the internet of any bills, resolves, summaries or other documents contained herein; provided, however, that if the clerk so waives any such requirement he shall make paper copies of the documents available to all members and the public within the limitation established for the electronic availability and posting on the internet of any bills, resolves, summaries or other documents contained herein.

REFERENCE TO COMMITTEE ON RULES.

85. All motions or orders authorizing committees of the House to travel or to employ stenographers, all propositions involving special investigations by committees of the House, all resolutions presented for adoption by the House only, and all motions and orders except those which relate to the procedure of the House or are privileged in their nature or are authorized by rule sixty-five, shall be referred without debate to the committee on Rules, which shall report thereon, recommending what action should be taken. The committee shall not recommend suspension of joint rule nine, unless evidence satisfactory to the committee is produced that the petitioners have previously given notice, by public advertisement or otherwise, equivalent to that required by Chapter 3 of the General Laws. [104.] (13A.)

85A. The House Business Manager, with the approval of House Counsel, shall provide that outside, independent audits of House financial accounts be conducted for each fiscal year upon receipt of the fiscal year end appropriation activity with balance report from the comptroller of the Commonwealth. The audit shall be conducted in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General of the United

States. The House Business Manager shall provide the independent auditor with requested documents for such audit. A copy of such audit shall be filed with the Clerk of the House and copies shall be made available to the members and the general public.

[Adopted Jan. 11, 1985, Amended Jan. 20, 2011.]

PARLIAMENTARY PRACTICE.

86. The rules of parliamentary practice shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with these rules or the joint rules of the two branches. (62.)

PROCUREMENT.

87. (a) All procurement for goods or services shall be completed by the House Business Manager with the approval of House Counsel.

(b) All procurements for goods or services shall, to the extent practicable, be made from the statewide procurement list established by the operational services division.

(c) Upon certification by the House Business Manager that a necessary procurement cannot be made using the statewide procurement list established by the operational services division, the House Business Manager may procure the required goods or services pursuant to the following:

(i) for a procurement of a supply or service in an amount of less than $5,000, the House Business Manager shall use sound business practices;

(ii) for a procurement of a supply or service in an amount of $5,000, but less than $50,000, the House Business Manager shall seek written or oral quotations from no fewer than 3 persons customarily providing such supply or service. The House Business Manager shall record the names and addresses of all persons from whom quotations were sought, the names of the persons submitting quotations and the date and amount of each quotation. The House Business Manager shall award the contract to the responsible person whose quotation offers the needed quality of supply or service and which represents the best value for the Commonwealth;

(iii) for a procurement of a supply or service in an amount exceeding $50,000 the business manager shall seek proposals through a competitive bid process established by the office of House Counsel; provided, however, that the Office of House Counsel shall file the competitive bid process with the House Clerk no later than March 31 of the first year of the session.

(d) All procurements for legal and consulting services shall be handled exclusively by the Office of House Counsel in compliance with the provisions of this rule. Prior to executing a contract for legal or consulting services, said office shall certify, in writing, to the Clerk of the House of Representatives that no employee of the House of Representatives possesses the required skills to complete the service which is the subject of the contract.

(e) The House Business Manager shall maintain a file on each contract not executed using the statewide procurement list established by the operational services division and in excess of $5,000 and shall include in such file a copy of all documents related to the contract. Upon execution of the contract, the House Business Manager shall transmit the file to the Office of House Counsel which shall make the file available for inspection within said office by members of the House for at least 3 years from the date of final payment under the contract; provided, however, that the Office of House Counsel shall redact from said file any information it which (i) is legally privileged; (ii) is proprietary; or (iii) related to individual members or House personnel.

(f) Whenever the time required to comply with a requirement of this rule would endanger the health, safety or convenience of the members, staff or visitors to the House of Representatives the House Business Manager may make an emergency procurement without satisfying the requirement of this rules; provided, however, that both the House Business Manager and the House Counsel certify in writing that: (i) an emergency exists and explain the nature thereof; (ii) be limited to only supplies or services necessary to meet the emergency; (iii) shall conform to the requirements of rule to the extent practicable under the circumstances; (iv) each contractor's name, (v) the amount and the type of each contract; (vi) the supplies or services provided under each contract; (vii) and basis for determining the need for an emergency procurement. Such certification shall be filed with the Clerk of the House prior to an emergency procurement.

[Adopted Jan. 20, 2011.]

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JOINT RULES

OF THE

TWO BRANCHES

JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES

[As adopted by the Senate and House of Representatives on February 3, 2011]

[The dates under each rule indicate when the rule and its amendments were adopted.]

Committees.

1. Joint standing committees shall be appointed at the beginning of the biennial session as follows:-

A committee on Children, Families and Persons With Disabilities;
A committee on Community Development and Small Businesses;
A committee on Consumer Protection and Professional Licensure;
A committee on Economic Development and Emerging Technologies;
A committee on Education;
A committee on Elder Affairs;
A committee on Election Laws;
A committee on Environment, Natural Resources and Agriculture;
A committee on Financial Services;
A committee on Health Care Financing;
A committee on Higher Education;
A committee on Housing;
A committee on the Judiciary;
A committee on Labor and Workforce Development;
A committee on Mental Health and Substance Abuse;
A committee on Municipalities and Regional Government;
A committee on Public Health;
A committee on Public Safety and Homeland Security;
A committee on Public Service;
A committee on Revenue;
A committee on State Administration and Regulatory Oversight;
A committee on Telecommunications, Utilities and Energy;
A committee on Tourism, Arts and Cultural Development;
A committee on Transportation;
A committee on Veterans and Federal Affairs

Each to consist of 6 members of the Senate, and 11 on the part of the House except the committees on Economic Development and Emerging Technologies, Health Care Financing and Transportation which shall consist of 7 members of the Senate and 13 of the House.

Within 4 weeks of the appointment of joint standing committees in the first annual session of the General Court, each joint standing committee shall adopt rules of procedure regarding the conduct of said committee. Said rules of procedure, together with any amendments, shall be filed with the Clerk of the Senate and the Clerk of the House and shall be available to the public and members of the General Court on the official website for the General Court.

Except as provided by Joint Rule 1E, each matter shall be referred only to 1 joint committee for consideration and all reports of matters by joint committees shall be made to the House or the Senate, under Joint Rule 4, not to another joint committee. The committee to which a matter is initially referred may discharge the matter to another committee with jurisdiction over the matter.

Matters referred by either the Senate or the House to its committee on Ways and Means shall be considered by the respective committees of the two branches, acting as a joint committee, when, in the judgment of the chairmen of the respective committees of the 2 branches, the interests of legislation or the expedition of business will be better served by such joint consideration. Matters may also be referred to the committees on Ways and Means, of the two branches, as a joint committee.

The committees on Rules, together with the presiding officers of the two branches, acting concurrently, may consider and suggest such measures as shall, in their judgment, tend to facilitate the business of the session and a majority vote of the 2 branches shall be required to approve such recommendations.

In order to assist the House and the Senate in their: (1) consideration and enactment of new legislation and modifications of existing laws, when either are deemed to be appropriate; (2) evaluation of the effectiveness and administration of laws and programs previously enacted; and (3) appraisal of the conditions and circumstances which may indicate the desirability of enacting new legislation, the various joint committees shall have the following oversight responsibilities:

(i) each joint committee shall review and study, on a continuing basis, the implementation, administration, execution and effectiveness of those laws, or parts of law, the subject matter of which is within the jurisdiction of that committee, the administrative regulations adopted to implement those laws, and those state agencies or entities having responsibilities for the administration and execution of such laws;

(ii) in carrying out these review and study activities, each committee shall determine whether such laws, administrative regulations and programs under those laws are being implemented in accordance with the intent of the General Court and whether such laws, administrative regulations and programs should be continued, curtailed or eliminated;

(iii) each committee shall also review and study any conditions and circumstances which may indicate the necessity or desirability of enacting new legislation within the jurisdiction of that committee, regardless of whether any matter has been introduced on that subject, and shall, on a continuing basis, undertake research on matters within the jurisdiction of that committee.

Committees shall coordinate oversight activities, under the direction of the presiding officers of both branches, to achieve the maximum objectives of clauses (i), (ii) and (iii).

Each committee may, upon completion of its oversight hearings, report to the General Court the results of its findings and recommendations together with accompanying corrective legislation, if any, by filing the same with the Clerk of the House of Representatives or the Clerk of the Senate. Copies of such reports shall be, whenever practicable, made available to all members electronically and to the public via the Internet. The disposition of said reports shall be determined by the Clerks with the approval of the Speaker and the President.

The Senate and House chairmen of a joint committee may appoint subcommittees to investigate and study any matter referred to said subcommittee. Any subcommittee so established shall be co-chaired by a majority member of the Senate and a majority member of the House who are members of the joint standing committee appointing the subcommittee. The composition of the subcommittee shall be proportional to the composition of the appointing joint committee; provided, however, that not less than 10 per cent of the subcommittee's members shall be from the minority party. Chairmen of subcommittees shall not be considered chairmen under section 2 of chapter 3 of the acts of 2005. A subcommittee may, upon completion of an investigation and study, report the results of the investigation and study together with legislation, if any, by filing the same with the Senate and House chairmen of the appointing joint committee.

-Temporary employees of the general court assigned to a joint committee who are students at an accredited education institution or employees or grantees of other non-profit organizations under section 501 (c) (3) of the Internal Revenue Code may receive compensation from such organization, according to that organization's regular program of providing such compensation for temporary governmental or public service employment. A temporary employee's Senate or House supervisor shall establish the employee's total compensation, shall verify that the sum of the employee's state compensation, if any, and that any outside compensation the employee is to receive under this rule would not exceed this total compensation, and shall file the written terms of the employee's compensation with the Senate Personnel Office or House Human Resources Office, where it shall be available for public inspection. The temporary employee shall sign a confidentiality and ethics agreement provided by the Senate Personnel Office or House Human Resources Office.

[Amended Jan. 6, 18 82; Jan. 5, 18 83; Jan. 7, 18 84; Jan. 8 and 26, 1885; Jan. 8, 18 86; Jan. 12, 18 87; Jan. 9, 18 88; Jan. 28, 18 89; Jan. 8, 18 90; Feb. 2, 18 91; Jan. 11 and Feb. 10, 18 92; Feb. 7, 18 93; Jan. 8. 1894; Jan. 7, 18 95; Jan. 7, 18 96; Jan. 11, 18 97; Jan. 10, 18 98; Jan. 9, 18 99; Jan. 22 and 29, 1901; Jan. 6, 19 02; Jan. 9, 19 03; Jan. 8, 19 04; Jan. 6, 19 05; Jan. 4, 19 07; Jan. 5, 19 10; Jan. 4, 19 11; Jan. 1, 19 13; Jan. 12, 19 14; Jan. 2, 19 18; Jan. 1 and 8 and Feb. 21, 1919; Jan. 7, 19

20; Jan. 5, 19 21; April 17 and 30, 1925; Jan. 5, 19 27; Jan. 7, 19 31; Jan. 6, 19 37; Jan. 4, 19 39; Jan. 1, 19 41; Jan. 3, 19 45; Jan. 2, 19 46; Jan. 6, 19 47; Feb. 1, 19 49; Jan. 7, 19 53; Jan. 7, 19 59; Jan. 30, 19 61; Jan. 7, 19 63; Jan. 12, 19 65; Feb. 24, 19 65; Mar. 10, 19 66; Jan. 30, 19 67; Jan. 7, 1971 ; July 23, 1974 ; Sept. 30 and Oct. 12, 1976 ; Nov. 3, 1981 ; Dec. 21, 1981 ; Mar. 15, 1982 ; Oct. 3, 1983 ; June 3, 1985 ; Jan. 25 and Mar. 14, 1988 ; Mar. 27, 1995 , June 12, 1995 ; July 17, 2003 ; Jan. 26, 2005; July 21 and September 20, 2005; Feb. 20, 2007; Feb 12, 2009; February 3, 2012.]

1A. All meetings of joint committees acting concurrently, Senate and House standing committees, special committees of the Senate and House of Representatives, and joint special committees and committees of conference on the disagreeing votes of the 2 branches shall be open to the public, unless a majority shall vote otherwise.

[Adopted July 17, 1973. Amended July 18, 1974; Feb. 12, 2009.]

1B. A joint standing committee shall hold a public hearing on each matter referred to it in each legislative session.

[Adopted June 3, 1985; Amended Feb. 12, 2009.]

1C. All joint standing committees shall schedule committee hearings and executive sessions so as not to conflict, to the extent feasible, with the schedules of other committees and, to the extent feasible, the day of the week and times during that day set aside for formal sessions by the respective branches from the first Wednesday in January through the fourth Wednesday of April in the first annual session.

[Adopted June 3, 1985; Amended June 12, 1995; February 3, 2011.]

1D. All meetings of joint standing committees, and special joint committees of the Senate and House of Representatives, shall be open to the public, and any person shall be permitted to attend any such meeting unless such committee convenes in executive session, as provided herein. All joint standing committees shall determine a schedule for committee hearings to be held from the beginning of the first annual session through the fourth Wednesday in June in said session. These committee schedules shall be submitted to the Clerk of the House who shall cause them to be published on the official website for the General Court. Establishment of such schedules shall not preclude joint standing committees from scheduling additional hearings or meetings as needed. No executive session shall be held except upon extraordinary circumstances and only after the committee has first convened in an open session for which notice has been given, the presiding officer has stated the purpose of the executive session, a majority of the committee members present has voted to go into executive session, the vote of each member has been recorded on a roll call vote, and the presiding officer has stated before the executive session if the committee will reconvene after the executive session. The records of all such roll calls shall be kept in the offices of the committee for the duration of the General Court during which said vote was recorded, and shall be available for public inspection upon reasonable notice and during regular office hours.

All joint standing committees, and special joint committees of the Senate and House of Representatives, shall notify the Sergeant-at-Arms of the time, place and agenda of all public hearings and executive sessions not less than 48 hours prior to the time of such meetings. The Sergeant-at-Arms shall notify the clerk, who shall inform all members electronically and publish such information on the official website of the General Court whenever practicable.

Nothing contained in this rule shall prohibit a joint standing committee or special joint committee of the Senate and the House of Representatives from taking appropriate action including, but not limited to, the exclusion of a person from a committee meeting in order to prevent the disruption of or interference with committee proceedings.

The 48 hour requirement shall be suspended in an emergency only after all reasonable efforts have been made to contact all committee members and upon a recorded vote of at least a majority of the members of each branch appointed to the committee, but not less than two-thirds of the members of each branch voting.

A meeting of a committee may be recorded by a person in attendance by means of a recorder or any other means of audio/visual reproduction except when a meeting is held in executive session; provided, that a person seeking to record a meeting of a committee notifies the Chairs of the committee prior to commencing such recording; and provided further that during such recording there is no interference with the conduct of the meeting.

[Adopted June 3, 1985. Amended June 12, 1995; Feb. 20, 2007; February 3, 2011.]

1E. The joint standing committee on Health Care Financing shall review all legislation relating to health care to evaluate the appropriateness and fiscal effect of such legislation. A matter within the jurisdiction of said committee may, if appropriate, initially be referred to another joint standing committee sharing jurisdiction of the subject-matter. Any matter reported favorably by such joint standing committee shall be referred to the joint committee on Health Care Financing; provided, however, that notwithstanding any rule to the contrary, any such matter so reported shall not be read a first time in the branch in which the report was received. The next favorable report on any such matter, if made by a joint committee, may be made to either branch. Such next favorable report shall be considered the first reading. The branch of origin for any such bill so reported shall be the branch receiving such favorable report.

For all matters initially referred to the joint committee on Health Care Financing and not previously referred to another joint committee, the joint committee on Health Care Financing may make favorable reports to either branch, at the discretion of the committee, except that reports on money bills shall be made to the House.

In compliance with section 38A of chapter 3 of the General Laws, the joint committee on Health Care Financing when reporting on bills shall include a fiscal note prepared under section 3A of chapter 29 of the General Laws, showing the estimated cost or the fiscal effect of the proposed legislation, if, in the opinion of said committee, such cost or fiscal effect exceeds the sum of $100,000; provided, however, that any matter reported by the committee on Health Care Financing with a fiscal effect of less than $100,000 shall not be referred, under the rules, to the committee on Ways and Means.

[Adopted Jan. 26, 2005; Amended May 19, 2005; Feb. 20, 2007; Feb. 12, 2009.]

1F. [Omitted February 12, 2009].

1G. The President of the Senate, the Speaker of the House of Representatives, Minority Leader of the Senate, Minority Leader of the House of Representatives, the Senate and House chairmen and the Senate and House ranking minority members of the joint committee on Public Safety and Homeland Security may receive security clearance from federal and state homeland security officials in order to be granted access to confidential homeland security briefings, information and materials. The President of the Senate, the Speaker of the House of Representatives, the Senate and House committee chairmen and the Senate and House ranking minority members may designate 1 or more members of their staff who may receive such security clearance.

Any person who receives security clearance under this rule shall sign all confidentiality agreements required by homeland security officials. The breach of any such confidentiality agreement shall constitute a violation of the Joint Rules of the Senate and House of Representatives. Any alleged violation of a confidentiality agreement shall be referred for investigation to the Senate committee on Ethics and Rules or the House committee on Ethics, respectively, and, if appropriate, to law enforcement authorities for potential criminal prosecution.

[Adopted Jan. 26, 2005; Amended Feb. 12, 2009; February 3, 2011.]

2. No member of either branch shall act as counsel for any party before any committee of the Legislature.

2A. No member of either branch shall purchase, directly or indirectly, the stock or other securities of any corporation or association knowing that there is pending before the General Court any measure specially granting to such corporation or association any immunity, exemption, privilege or benefit or any measure providing for the creation of, or directly affecting any, contractual relations between such corporation or association and the Commonwealth. This rule shall not apply to the purchase of securities issued by the Commonwealth or any political subdivision of the Commonwealth. [See G.L. chapter 268, section 10.]

[Adopted Jan. 16, 1922 .]

3. When the General Court is in session, authorization for any committee of the Senate or House of Representatives to travel during the session of the General Court shall be approved by a vote of two thirds of the members of its branch present and voting. When the General Court is in session, authorization for any committee of the Senate or House of Representatives to sit and travel during the recess of the General Court shall be approved by a vote of two-thirds of the members of each branch present and voting. During the recess of the General Court, the President of the Senate and the Speaker of the House of Representatives may, by written consent, allow standing committees of their respective branches or appoint special committees to sit, travel and incur expenses not exceeding sums authorized in writing by said presiding officers and appropriated for such purposes. When the General Court is in session, authorization for any joint committee to travel during the session, or to sit or travel during the recess, of the General Court shall be approved by a vote of two-thirds of the members of each branch present and voting. During the recess of the General Court, the President of the Senate and the Speaker of the House of Representatives, acting jointly, may, by written consent, allow joint committees or appoint joint special committees to sit, travel and incur expenses not exceeding sums authorized in writing by said presiding officers and appropriated for such purposes. The Clerks of the Senate and House of Representatives shall be notified of any appointments made and authorizations granted during the recess for said committees to sit, travel and incur expenses during the recess and the Clerks shall enter such information in the journals for the next year, as soon as may be practicable. Committees authorized by the presiding officers to sit during the recess in the odd numbered year shall report not later than the fourth Wednesday of January during the following year and committees authorized by the presiding officers to sit during the recess in the even numbered year shall report not later than the fourth Wednesday of December during the same year.

No committee shall travel except at the expense of the Commonwealth. In any case when a committee is authorized to travel, the Sergeant-at-Arms shall provide transportation only for members of the committee and the officer accompanying them, and the reasonable traveling expenses of such members and officers only shall be charged to or paid by the Commonwealth. Neither the Sergeant-at-Arms nor the officer detailed by the Sergeant-at-Arms shall permit any person to accompany such committee while in the discharge of its official duties unless invited by vote of the committee.

All bills for the traveling expenses of committees shall be submitted by the Sergeant-at-Arms to the committee by whom they have been incurred and shall be approved by a majority of said committee before being presented to the Comptroller for payment.

[Adopted Feb. 7, 1890; Amended Feb. 2, 1891 ; Jan. 20, 1904 ; April 17, 1925 ; March 2, 1943 ; July 27, 1950 ; Oct. 18, 1971 ; March 28, 1972 ; Jan. 15, 1973; Feb. 12, 2009.]

3A. A joint standing committee may, upon the written and signed report of two-thirds of the members of the Senate and two-thirds of the members of the House appointed to said committee, report a bill or other form of legislation without said legislation being founded upon petition; provided, however, that matters so reported shall be germane to the subject matters regularly referred to the committee. The committee shall hold a public hearing on such bill or other form of legislation before it is reported. A bill or other form of legislation so reported shall be placed in the Orders of the Day by the Clerk of the respective branch to which it is reported or referred to a standing committee of said branch under the rules. All reports of committees not founded upon petition shall bear the designation "committee bill, resolve, order or resolution", as the case may be, in the Orders of the Day. Committees to which messages from the Governor, reports of state officers, boards, committees, commissions and others authorized to report to the General Court, may report by bill or otherwise such legislation as may be germane to the subject matter referred to them.

[Adopted June 3, 1985 .]

4. Favorable reports, and adverse reports on subjects of legislation other than petitions, by joint committees may be made to either branch, at the discretion of the committee, having reference to an equal distribution of business between the 2 branches, except that reports on money bills shall be made to the House and if adverse reports on matters other than petitions which are accompanied by money bills are accepted by the House, this shall constitute final rejection. Adverse reports by joint committees on petitions shall be made to the branch in which the petition was originally introduced, except that such adverse reports on petitions accompanied by proposed money bills shall be made to the House; and, if accepted by the branch in which they are made, shall be considered as a final rejection. When a report is made from any committee to either branch, and the subject-matter of the report is subsequently referred to a joint committee, such committee, except for the committee on Health Care Financing, shall report its action to the branch in which the reference originated. [See also Joint Rule 5.]

A vote of a joint standing committee to give legislation a favorable or adverse report shall be conducted by a roll call upon request of 2 committee members present at the committee meeting. Such votes shall be recorded on appropriate forms that show all votes for and against the particular committee action. The records of all such roll calls shall be kept in the offices of the committee for the duration of the General Court during which said vote was recorded, and shall be available for public inspection upon reasonable notice and during regular office hours.

All committee members shall have an opportunity to sign a form accompanying a report of the committee signifying approval of, dissent or abstention from a report of a joint standing committee before the report is final or filed. No signature shall be valid unless the report to which the signature is affixed includes the substan¬tially complete text of the legislation being reported.

[Amended Jan. 3, 1952; April 8, 1959; June 7, 1965; Jan. 7, 1971; March 11, 1974; June 3, 1985; Feb. 20, 2007.]

4A. In compliance with section 38A of chapter 3 of the General Laws, all joint committees of the General Court when reporting on bills referred to them shall include a fiscal note prepared under section 3A of chapter 29 of the General Laws, showing the estimated cost or the fiscal effect of the proposed legislation, if, in the opinion of said committee, such cost exceeds $100,000. Such fiscal note shall be filed electronically in the office of the clerk to which the report is being made, and shall be promptly made available on the official website of the General Court.

[Adopted Jan. 15, 1973; February 3, 2011.]

5. Matters reported adversely by joint committees and the committees on Rules of the 2 branches, acting concurrently, may be recommitted to the same committees at the pleasure of the branch acting on the report, and bills or resolves may be recommitted in either branch. If a bill or resolve is laid aside in either branch for the reason that it is declared to be broader in its scope than the subject-matter upon which it is based, the subject-matter shall be recommitted to the committee. A concurrent vote shall, however, be necessary for recommittal, with instructions. After recommitment, report shall, in all cases, be made to the branch originating the recommitment.

[Amended Feb. 2, 1891; April 11, 1935; Jan. 6, 1947; May 7, 19 53; March 26, 1963; Jan. 30, 1967; Jan. 7, 1971; March 11, 1974.]

6. Bills and resolves reported by joint committees shall be presented with spaces between the several sections and shall be made available to all members electronically and to the public via the Internet.

[Amended Jan. 28, 1889; Jan. 9, 1941; Feb. 8, 1949; Feb. 12, 2009; February 3, 2011.]

Joint Petitions.

6A. A member of the Senate and a member of the House of Representatives may file a joint petition in either branch and shall endorse their name on the petition and a brief statement of the nature and object of the instrument and the reading of the instrument shall be dispensed with, unless specially ordered. The petition shall be filed in the Office of the Clerk of either the Senate or House of Representatives, depending on whether it is a "Joint Senate/House Petition" or a "Joint House/Senate Petition" but the Journal records in the Senate and House of Representatives shall carry both members' names as presenters of the petition.

[Adopted Jan. 15, 1973.]

7. Whenever, upon any application for an act of incorporation or other legislation, the purpose for which such legislation is sought can be secured without detriment to the public interests by a general law or under existing laws, the committee to which the matter is referred shall report such general law, or "ought not to pass".

[Amended Feb. 2, 1891; Feb. 7, 18 93; Jan. 7, 1971.]

7A. A petition for legislation to authorize a county to reinstate in its service a person formerly employed by it, or to retire or pension or grant an annuity to any person, or to increase any retirement allowance, pension or annuity, or to pay any sum of money in the nature of a pension or retirement allowance, or to pay any salary which would have accrued to a deceased official or employee but for his death, or to pay any claim for damages or otherwise, or to alter the benefits or change the restrictions of any county retirement or pension law, shall, subsequently to the procedure required by Senate Rule No. 20 and by House Rule No. 24, be reported adversely, unless, when filed it be the petition of, or be approved by, a majority of the county commissioners.

[Adopted April 29, 1915. Amended Jan. 13, Feb. 19 and Dec. 22, 1920; May 24, 1926; April 11, 1935; April 22, 1937; Jan. 12, 1939; Jan. 15, 1945; Feb. 20, 1951; Jan. 30, 1967; Jan. 7, 1971; Jan. 15, 1973.]

7B. A petition, the operation of which is restricted to a particular city or town (and which does not affect the powers, duties, etc., of state departments, boards, commissions, etc., or which does not affect generally the laws of the Commonwealth) and which is not filed in conformity with Section 8 of Article LXXXIX of the Amendments to the Constitution shall, subsequent to the procedure required by Senate Rule 20 and House Rule 24, be reported adversely, unless it be on petition filed or approved by the voters of a city or town, or the mayor and city council, or other legislative body, of a city, or the town meeting of a town. A joint committee to which is inadvertently referred a petition or other subject of legislation the operation of which is restricted to a particular city or town and which is not in conformity with Section 8 of Article LXXXIX of the Amendments to the Constitution shall report a general law which applies alike to all cities, or to all towns, or to all cities and towns, or to a class of not fewer than 2; or shall report "ought not to pass", with the further endorsement that it "would be unconstitutional to enact such special law".

[Adopted Jan. 13, 1920. Amended Feb. 19 and Dec. 22, 1920; May 24, 1926; April 11, 1935; April 22, 1937; Jan. 12, 1939; Jan. 9, 1941; Jan. 15, 1945; Feb. 20, 1951; Jan. 30, 1967; Jan. 7 and Mar. 22, 1971 ; Jan. 15, 1973; February 3, 2011.]

Notice to Parties Interested.

8. No legislation affecting the rights of individuals or the rights of a private or municipal corporation, otherwise than as it affects generally the people of the Commonwealth or the people of the city or town to which it specifically applies, shall be proposed or introduced except by a petition, nor shall any bill or resolve embodying such legislation be reported by a committee except upon a petition duly referred, nor shall such a bill or resolve be reported by a committee, whether on an original reference or on a recommittal with instructions to hear the parties, until it is made to appear to the satisfaction of the committee that proper notice of the proposed legislation has been given by public advertisement or otherwise to all parties interested, without expense to the Commonwealth, or until evidence satisfactory to the committee is produced that all parties interested have in writing waived notice. A committee reporting adversely due to lack proper notice or of a waiver of proper notice shall so state in its report and no bill or resolve shall be in order as a substitute for, or amendment of, such report. Objection to the violation of this rule may be taken at any stage prior to that of the third reading.

[Adopted Feb. 7, 1890. Amended Dec. 22, 1920 ; Jan. 12, 1939 ; Jan. 15, 1945; Jan. 7, 1971 .]

9. A petition for the incorporation of a city or town, for the annexation of 1 municipality to another, for the consolidation of 2 or more municipalities or for the division of an existing municipality, or for the incorporation or revival of a railroad, street railway, elevated railroad, canal, telephone, telegraph, water, gas, electric light, power or other public service corporation, for the amendment, alteration or extension of the charter or corporate powers or privileges, or for the change of name, of any such company, whether specially incorporated or organized under the General Laws, or for authority to take water for a water supply, or relative to building structures in or over navigable or tide waters, shall be placed on file, and not referred to a com¬mittee, unless the petitioner has given the notice and followed the procedure required by section 5 of chapter 3 of the General Laws. But if, no objection being raised, any such petition is referred to a committee without such required notice or procedure, the committee shall forthwith report adversely, setting forth as the reason for such report failure to comply with the law, unless evidence satisfactory to the committee is produced that all parties interested have in writing waived notice. In case a bill or resolve is reported upon such a petition, after proof of such waiver of notice, this fact shall be set forth in the report of the committee. When an adverse report is made by a committee, on account of failure to give the required notice, no bill or resolve shall be substituted for such report, nor shall such report be recommitted or referred to another committee.

A petition for the establishment or revival, or for the amendment, alteration or extension of the charter or corporate powers or privileges, or for the change of name, of any corporation, except a petition subject to the preceding paragraph, shall be transmitted by the Clerk of the branch in which it is filed to the office of the State Secretary. If such a petition is returned by said Secretary with a statement that the petitioner has failed to comply with the requirements of section 7 of chapter 3 of the General Laws, said petition shall be placed on file, and shall not be referred to a committee.

Any petition placed on file for want of proper notice or procedure under this rule shall not affect action upon any other measure involving the same subject matter.

[Adopted Feb. 7, 1890. Amended Feb. 2, 1891; Feb. 3, 1898; Jan. 16, 1903; Feb. 19 and Dec. 22, 1920; May 24, 1926; Feb. 27, 1929; April 11, 1935; Jan. 6, 1938; Jan. 12, 1939; Jan. 9, 1941; Jan. 15, 1945; April 8, 1959; Jan. 7, 1963; Jan. 7, 1971 ; Jan. 15, 1973 , June 12, 1995; Feb. 12, 2009.]

Limit of Time allowed for Reports of Committees.

10. All joint committees and the committees on Rules of the two branches, acting concurrently, shall make final report not later than the third Wednesday of March of the second annual session of the General Court on all matters referred to them before the third Wednesday in February of the second annual session and within 30 days on all matters referred to them on and after the third Wednesday in February of the second annual session of the General Court except that the committee on Health Care Financing shall make final report not later than the last Wednesday of April of the second annual session on all matters referred to them on or before the fourth Wednesday of March and within 30 days on all matters referred to it after the fourth Wednesday in March of the second annual session of the General Court. When the time within which said committees are required to report has expired, all matters upon which no report has then been made shall forthwith be reported by the chairman of the committee on the part of the branch in which they were respectively introduced, with an adverse recommendation under this rule. If the chairman fails to make such report by the end of the legislative day next following the expiration date, all matters remaining unreported shall be placed in the Orders of the Day by the Clerk of the branch in which the matter was originally filed with an adverse report under this rule. Matters which have been referred under Joint Rule 29, upon which the chairmen of the committees on Rules fail to make a report, shall be placed by the respective Clerks in the Orders of the Day of the branch in which the subject matter was referred to said committees. Committees to whom are referred subjects of legislation may combine petitions of similar subject matter, or other forms of legislation of similar subject matter, into 1 adverse report, and the report on the petition shall be that said petitions or other forms of legislation "ought NOT to pass," and if the report is accepted, all the matters contained in the report shall be disposed of. However, petitions upon which an adverse report is accepted in only 1 branch may not be combined with other subjects of legislation upon which adverse reports must be accepted, in concurrence. This rule shall not apply to petitions referred to the committees on Rules of the two branches, acting concurrently, under the second paragraph of Joint Rule 12. This rule shall not be rescinded, amended or suspended, except by a concurrent vote of four-fifths of the members of each branch present and voting thereon. Notwithstanding Joint Rule 30, this rule shall not be rescinded, amended or suspended more than 3 times except by unanimous consent.

[Amended Feb. 2, 1891; Jan. 25, 1894; Jan. 16, 1903; Jan. 20, 1904; Dec. 22, 1920; April 17, 1925; Jan. 12, 1939; Jan. 15, 1945; Jan. 6, 1947; May 7, 1953; Jan. 27, 1955; Jan. 30, 1967; Jan. 7, 1971; Feb. 4, 1974, June 12, 1995; July 17, 2003; Feb. 20, 2007; Feb. 12, 2009.]

10A. The form for all subjects of legislation receiving a favorable report shall be "ought to pass." The form for all subjects of legislation receiving an adverse report shall be "ought NOT to pass." A committee to whom is referred any other matter may report recommending that the same be placed on file.

[Adopted Jan. 7, 1971.]

Committees of Conference.

11. Committees of conference shall consist of 3 members on the part of each branch, representing its vote; and their report, if agreed to by a majority of each committee, shall be made to the branch asking for the conference, and may be either accepted or rejected, but no other action shall be had, except through a new committee of conference.

Committees of conference to whom are referred matters of difference in respect to bills or resolves, shall, before filing their reports, have the same approved or discharged by each committee on Bills in the Third Reading.

[Amended April 22, 1937; Feb. 12, 2009; Feb. 3, 2011.]

11A. Committees of conference to whom are referred matters of difference in respect to appropriation bills, including capital outlay programs, shall, before filing their reports, have the same approved or discharged by each committee on Bills in the Third Reading.

Upon the appointment of a committee of conference to whom matters of difference in respect to any appropriation bill or in respect to any bill providing for capital outlay programs and projects are referred, the clerk of the branch requesting said committee of conference shall make available to members of the General Court a list of the matters in disagreement identified by item number and item purpose and showing the amount made available by each branch of the General Court, and any other matters in disagreement and the position of each of the said branches.

The report of said committee of conference shall consist of the matters of difference so referred and so identified, showing the amounts appropriated by each of the said branches and other matters in disagreement and the position of each branch with respect to those matters, and shall state said committee's recommendations with respect to the matters so referred. Matters on which there exists no disagreement between the branches shall not be disturbed by the committee on conference.

The committees on ways and means of each branch of the General Court shall assist such committee of conference in any and all matters necessary to the preparation and completion of its report.

[Adopted July 30, 1974; Amended Oct. 3, 1983; Feb. 3, 2011.]

11B. No report from a committee of conference shall be considered or acted upon by either branch until the calendar day following the day on which said report shall have been available to the public and to the members of the General Court. The committee shall file its report no later than 8 p.m. on the day preceding its consideration and the General Court shall not consider said report before 1 p.m. on the following day, except that a report from such committee of conference that it is unable to agree may be considered and acted upon at the time that such report is filed.

[Adopted Oct. 3, 1983. Amended July 17, 2003; July 21 and September 20, 2005; Feb. 3, 2011.]

11C. Reports, other than those filed under Rule 11A, from a committee of conference shall, whenever practicable, be accompanied by a summary which shall be filed with the clerk.

[Adopted Feb. 12, 2009; Amended Feb. 3, 2011.]

11D. Upon the filing of a report by a committee of conference the clerk shall, as soon as practicable, make the report and the summary of the report available to all members electronically and to the public on the official website of the General Court.

[Adopted Feb. 12, 2009; Amended Feb. 3, 2011.]

Limit of Time allowed for New Business.

12. Resolutions intended for adoption by both branches of the General Court, petitions, and all other subjects of legislation, shall be deposited with the Clerk of either branch prior to 5 p.m. on the third Friday in January of the first annual session of the General Court.

All such matters except messages from the Governor, reports required or authorized to be made to the General Court and petitions filed or approved by the voters of a city or town, or the mayor and city council, or other legislative body of a city, or the town meeting of a town, for the enactment of a special law under Section 8 of Article LXXXIX of the Amendments to the Constitution and which do not affect the powers, duties, etc., of state departments, boards, commissions, etc., or which do not affect generally the laws of the Commonwealth deposited with the respective clerks subsequent to 5 p.m. on the third Friday of January of the first annual session of the General Court shall be referred by the Clerks to the committees on the Rules of the two branches, acting concurrently. No such matter shall be admitted for consideration except on report of the committees on Rules of the two branches, acting concurrently, and then upon approval of two-thirds of the members of each branch voting thereon. Matters upon which suspension of Joint Rule 12 has been negatived shall be placed on file.

At any special session called under Rule 26A, however, matters relating to the facts constituting the necessity for convening such session shall, if otherwise admissible, be admitted as though filed seasonably under the first sentence of this rule. Any recommendations from the Governor shall be similarly considered. This rule shall not be rescinded, amended or suspended, except by a concurrent vote of two-thirds of the members of each branch present and voting thereon.

[Amended Feb. 7, 18 90; Feb. 2, 18 91; Feb. 7, 18 93; Jan. 10, 18 98; Jan. 9, 18 99; Feb. 15, 19 01; May 4, 19 04; Jan. 31, 19 10; Feb. 2, 19 17; Dec. 22, 19 20; March 30, 19 21; Jan. 30, 19 23; Feb. 15, 19 33; Jan. 12 and Aug. 7, 19 39; Jan. 15, 19 45; Jan. 6, 19 47; May 27, 19 48; Jan. 30, 19 67; March 26, 19 69; Jan. 7, 1971 ; Jan. 15 and Oct. 2, 1973 ; Oct 3, 1983 , June 12, 1995 ; Jan. 26, 2005; July 17, 2003; Jan. 26, 2005; July 21, 2005; Sept. 20, 2005; Feb. 12, 2009.]

12A. All formal business of the first annual session of the General Court shall be concluded not later than the third Wednesday in November of that calendar year and all formal business of the second annual session shall be concluded not later than the last day of July of that calendar year.

In order to assist the Senate and House in its analysis and appraisal of laws enacted by the General Court, each joint standing committee, upon conclusion of the formal business of the annual sessions, shall, as authorized by Joint Rule 1, initiate oversight hearings to evaluate the effectiveness, application and administration of the subject matter of laws within the jurisdiction of that committee.

[Adopted June 12, 1995.]

Unfinished Business of the Session.

12B. Any matter pending before the General Court at the end of the first annual session and any special session held in the same year shall carry over into the second annual session of the same General Court in the same legislative status as it was at the conclusion of the first annual session or any special session held during that year; provided, however, that any measure making or supplementing an appropriation for a fiscal year submitted to or returned to the General Court by the Governor, under Article LXIII of the Amendments to the Constitution, in the first annual session or in a special session held during that year shall cease to exist upon the termination of the first annual session.

[Adopted June 12. 1995.]

Papers to be deposited with the Clerks.

13. Information intended for presentation to the General Court by any Representative or Senator shall be deposited with the Clerk of the branch to which the member belongs; and all such information, unless they be subject to other rules or of the rules of the Senate or House, shall be referred by the Clerk, with the approval of the President or Speaker, to appropriate committees, subject to such changes as the Senate or House may make. The reading of information so referred may be dispensed with, but they shall, except as provided in these rules, be entered in the Journal of the same on the next legislative day after such reference.

A member may include a brief statement of intent with all papers intended for presentation to the General Court. Upon a favorable report by a joint standing committee, a committee may include a brief written statement of intent. Said statement shall be dated and shall include the scope of the matter presented for consideration; provided, however, this rule shall not be construed to require the presentation of such statement of intent under this rule.

[Adopted Feb. 7, 1890. Amended Feb. 2, 1891; Feb. 7, 1893; Jan. 25, 1894; Dec. 22, 1920; May 25, 1923; Feb. 15, 1933; Jan. 12, 1971; June 3, 1985; Feb. 12, 2009; February 3, 2011.]

Dockets of Legislative Counsel and Agents.

14. The committees on Rules of the two branches, acting concurrently, may prescribe the manner and form of keeping the dockets of legislative agents which are required by law.

[Adopted Feb. 2, 1891; Amended Feb. 19, 1920; February 3, 2011.]

Duties of the Clerk.

15. If any part of the report of a committee over the signature of the chairman or members of the committee is amended in either branch, the Clerk of that branch shall endorse upon the report such amendment.

16. All papers, while on their passage between the 2 branches, may be under the signature of the respective Clerks, except as to the adopting of emergency preambles and the final passage of bills and resolves. Messages may be sent by such persons as each branch may direct.

[Amended Feb. 21, 1919.]

17. After bills and resolves have passed both branches to be engrossed, they shall be in the charge of the Clerks of the 2 branches, who shall prepare the same for final passage in the manner prescribed by law; and when so prepared the same shall be delivered to the Clerk of the House of Representatives; and when the bills have been passed to be enacted or the resolves have been passed in the House, they shall, in like manner, be delivered to the Senate Clerk and Parliamentarian. If a bill or resolve contains an emergency preamble, it shall be delivered in like manner, to the Senate after the preamble has been adopted by the House of Representatives and before the bill or resolve is put upon its final passage in that branch. If the Senate concurs in adopting the preamble, the bill or resolve shall be returned to the House to be there first put upon its final passage, under Joint Rule No. 22.

[Amended Feb. 24, 1914; Feb. 21, 1919; Jan. 7, 1971.]

18. [Omitted in 1971.]

19. The Clerk of the branch in which a bill or resolve originated shall make an endorsement on the envelope of the engrossed copy of the bill, certifying in which branch the bill originated, which endorsement shall be entered on the journals by the Clerks respectively.

[Amended Jan. 28, 1889; Feb. 24, 1914.]

20. Bills, resolves and other papers requiring the approval of the Governor shall be laid before the Governor for the Governor's approbation by the Senate Clerk and Parliamentarian, who shall enter upon the journal of the Senate the day and date on which the same were so laid before the Governor.

[Amended Jan. 28, 1889; Jan. 7, 1971.]

Presentation and Distribution of Documents.

21. The committees on Rules of the two branches, acting concurrently, may establish regulations for the distribution of bills, reports or other documents. Bills, reports or other documents shall be made available to members electronically and, except for petitions not assigned bill numbers, published on the Internet. The committees on Rules of the two branches, acting concurrently, may make such changes pertaining to the availability of bills, reports or other documents as they deem necessary for expediting the work of the legislature.

Bills, reports and other documents, available under the general order of either branch, may be distributed as follows: copies to each member of the Senate and House of Representatives (to be placed on his file under the direction of the Sergeant-at-Arms, if desired by the member); copies to each Clerk in either branch, and copies to each reporter in regular attendance, to whom a seat has been assigned in either branch; copies to the Executive; copies to the Secretary's office; copies to the State Library; copy to each Public Library in the Commonwealth.

[Amended Jan. 8, 1886 ; Jan. 28, 1889 ; Jan. 27, 1911 ; Feb. 19, 1920 ; Jan. 6, 1947 ; Apr. 5, 19 67 ; Jan. 7, 1971; Feb. 12, 2009; February 3, 2011.]

Emergency Measures.

22. The vote on the preamble of an emergency law, which under the requirements of Article XLVIII, as amended by Article LXVII of the Amendments of the Constitution shall, upon request of 2 members of the Senate or of 5 members of the House of Representatives, be taken by call of the yeas and nays, shall be had after the proposed law has been prepared for final passage; and neither branch shall vote on the enactment of a bill or on the passage of a resolve containing an emergency preamble until it has been determined whether the preamble shall remain or be eliminated. If the bill contains an emergency preamble, a motion to amend the bill may be received in either branch before the adoption of the emergency preamble, and the amendment may contain a new emergency preamble. If the 2 branches concur in adopting the preamble, the bill or resolve shall first be put upon its final passage in the House of Representatives. If either branch fails to adopt the preamble, notice of its action shall be sent to the other branch; and the bill or resolve, duly endorsed, shall again be prepared for final passage without the preamble and without any provision that the bill or the resolve shall take effect earlier than 90 days after it has become law. Procedure shall be otherwise under the joint rules and the rules of the Senate and the House of Representatives.

[Adopted Feb. 21, 1919. Amended Jan. 30, 1923; Jan. 7, 1971; Feb. 20, 2007; Feb. 12, 2009.]

22A. Bills and resolves passed to be engrossed by both branches and before being transmitted by the clerks to the Legislative Engrossing Division shall be made available to the committees on Bills in the Third Reading of the two branches, acting jointly, who shall examine them to ensure accuracy in the text; that the legislation is correct as to form; that references to previous amendments to any particular law are correct and to ensure proper consistency with the language of existing statutes. These committees, with the approval of the majority and minority leadership of both branches may make corrections which are not substantive in nature. The clerks of both branches shall be immediately notified, in writing, of any such changes. Errors discovered by the committees of a substantive nature shall be reported to the General Court, which in turn shall take appropriate action under its rules. Upon completion of examination and possible correction of any such bills and resolves, the bills and resolves shall be returned to the clerks, who in turn, shall transmit them to the Legislative Engrossing Division to be prepared for final passage.

[Adopted Sept. 16, 1971.]

Legislative Amendments to the Constitution.

23. All proposals for amendments to the Constitution referred to a joint committee on the first annual session of the General Court shall be reported by said committee not later than the last Wednesday of April in said year, and proposals for amendments to the Constitution referred to a joint committee subsequent to the last Wednesday in April of the first annual session shall be reported by said committee not later than the last Wednesday of April in the second session of the same General Court. The committee shall file its report, either recommending that the proposal ought to pass or ought not to pass, with any official papers in its possession that relate thereto, with the Clerk of the Senate. When the time within which said committees are required to report has expired, all matters upon which no report has been made shall forthwith be placed in the Journal of the respective branches, with an adverse report under this rule; and shall then be placed on file in the office of the Clerk of the Senate. For further information of the members of the Senate and House of Representatives, the respective Clerks shall also place all such matters under a separate heading in the Calendar of each branch, as soon as is practicable. In each branch the report shall be read and forthwith placed on file; and no further legislative action shall be taken on the measure unless consideration in joint session is called for by vote of either branch, under Section 2 of Part IV of Article XLVIII (as amended by Article LXXXI) of the Amendments to the Constitution. A joint committee to which is referred any recommendation for an amendment to the Constitution made by the Governor or contained in a report authorized to be made to the General Court may report on the recommendation a proposal for a legislative amendment, which shall be deemed to have been introduced by the member of the Senate who reports for the committee; and the procedure as regards reporting, filing and subsequent action shall be that provided for legislative amendments by this rule. Or the joint committee may report ought not to pass for the reason that no legislation is necessary or that the recommendation ought not to pass; and in such cases the usual procedure as regards similar reports by joint commit¬tees shall be followed. If such an adverse report is amended in the Senate by substituting a proposal for a legislative amendment, notice of the Senate's action shall be sent to the House and said proposal, together with the official papers relating to the subject, shall be in the custody of the Clerk of the Senate; and if said report is so amended in the House, the proposal, duly endorsed, together with the other papers, shall be sent to the Senate for its information and shall be kept in the custody of its Clerk. No further legislative action shall be taken in either branch on a proposal so substituted unless consideration in joint session is called for under the Constitution. If either branch calls for the consideration of any proposal in joint session, notice of its action shall be sent to the other branch; and it shall then be the duty of the Senate and the House of Representatives to arrange for the holding of the joint session not later than the second Wednesday in May. Subject to the requirements of the Constitution, joint sessions or continuances of joint sessions of the 2 branches to consider proposals for specific amendments to the Constitution, and all rules or procedures, shall be determined only by concurrent votes of the 2 branches. The rules relative to joint conventions shall apply to the joint sessions of the 2 houses.

[Adopted Feb. 21, 1919. Amended March 30, 1921; April 11, 1935; Jan. 12, 1939; Jan. 15, 1945; Nov. 9, 1951; Jan. 15, 1973; July 1, 1974; Feb. 12, 2009.]

Executive Reorganization Plans.

23A. Any reorganization plan, accompanied by a bill, submitted by the Governor under Article LXXXVII of the Amendments to the Constitution shall be referred by the Clerks of the Senate and the House, with the approval of the President and Speaker, to a joint standing committee within 5 days of the presentation of the reorganization plan.

Said committee, to which is referred any such reorganization plan, shall, as required by said Article, not later than 30 days after the presentation of such plan by the Governor, hold a public hearing on the reorganization plan; and shall not later than 10 days after such hearing report that it either approves or disapproves such plan.

When recommending action, the committee shall make, in each branch, a separate report of its recommendations, and shall file said report together with the committee's recommendations and the reasons for those recommendations, in writing. Majority and minority reports shall be signed by the members of said committee. Any official papers in the possession of said committee that relate thereto shall be filed with the Clerk of the Senate.

If the committee recommends favorable action, the report shall be that the reorganization plan "ought to be approved". If the committee recommends adverse action, the report shall be that the reorganization plan “ought NOT to be approved". In each instance, the question shall be “Shall this reorganization plan be approved?”

In each branch, the report shall be read and forthwith recorded in the Journal. On the legislative day next following the Journal record, the report shall be placed in the Orders of the Day of the Senate and the House.

When the time within which a joint committee is required to report on a reorganization plan has expired, a matter upon which no report has been made shall forthwith be placed in the Orders of the Day by the Clerks of each branch and the question shall be "Shall this reorganization plan be approved?".

When such plan is before either branch, no motion relating to said plan shall be allowed except the motions to lay on the table (only in the Senate), to postpone to a time certain, or to commit or recommit (at the pleasure of either branch). The motions to take a recess, to adjourn, the previous question (if provided in the branch debating the issue), to close debate at a specified time, and the motion to reconsider shall also be in order.

A motion to discharge any committee to which is referred or to which is recommitted a reorganization plan shall not be in order prior to the expiration of 40 days after the Governor's presentation of such plan. After the expiration of said 40 days, a motion to discharge a committee shall be decided by a majority vote of the branch in which the motion is made.

Unless disapproved by a majority vote of the members of either of the 2 branches of the General Court present and voting, the General Court not having prorogued within 60 days from the date of presentation by the Governor, the plan shall be approved and shall take effect as provided by Article LXXXVII of the Amendments to the Constitution.

Within 7 days of the expiration of the 60 days from the date of presentation of said plan by the Governor, unless the question has already been decided, the Clerks of the Senate and House of Representatives shall place the plan in the Orders of the Day; and no motions except the motions to take a recess, to adjourn, and previous question, or to close debate at a specified time, shall be in order.

No such reorganization plan presented to the General Court shall be subject to change or amendment before expiration of such 60 days.

[Adopted June 13, 1967; Amended March 27, 1969 ; June 12, 1995; Feb. 12, 2009.]

Joint Conventions.

24. The President of the Senate shall preside in Conventions of the 2 branches, and such Conventions shall be held in the Representatives' Chamber; the Senate Clerk and Parliamentarian shall be the Clerk of the Convention, and a record of the proceedings of the Convention shall be entered at large on the journals of both branches.

[Amended Feb. 20, 2007.]

25. When an agreement has been made by the 2 branches to go into Convention, such agreement shall not be altered or annulled, except by concurrent vote, excepting that it shall be in order to recess the convention from time to time upon a majority vote of said convention

[Amended Jan. 7, 1971 .]

26. No business shall be entered on, in Convention, other than that which may be agreed on before the Convention is formed.

Special Sessions.

26A. If written statements of 21 members of the Senate and 81 members of the House of Representatives, that in their opinion it is necessary that the General Court assemble in special session on a particular date and time specified in their statements during a recess of the General Court, are filed with their respective Clerks, such Clerks shall forthwith notify all the members of their respective branches to assemble at the State House in Boston, on said date at the time so specified. When so assembled, the first business to be taken up shall be the question of the necessity of so assembling, under Article I of Section I of Chapter I of Part the Second of the Constitution of the Commonwealth. If 21 members of the Senate and 81 members of the House of Representatives judge by vote taken by call of the yeas and nays that such assembling of the General Court is necessary, specifying in such vote the facts constituting such necessity, the General Court shall then complete its organization as a special session, proceed to the consideration of the suspension of Joint Rule 12A which if suspended by the required two-thirds of the members of both branches shall permit the General Court to proceed to the consideration of matters properly before it. Nothing in this rule shall prevent the General Court from assembling in any other constitutional manner when it judges necessary.

[Adopted Aug. 7, 1939. Amended March 2, 1943; March 27, 19 69; May 5, 1979; July 17, 2003; July 21 and September 20, 2005.]

Joint Elections.

27. In all elections by joint ballot a time shall be assigned for such election at least 1 day previous to such election.

27A. In all cases of elections by ballot a majority of the votes cast shall be necessary for a choice, and where there shall be no such a majority on the first ballot the ballots shall be repeated until a majority is obtained; and in balloting, blanks shall be rejected and not taken into the count in the enumeration of votes, excepting that when the number of blanks shall be more than the number of votes received by the candidate having the highest number of votes, then the election shall be declared void and the balloting shall be repeated as provided herein.

[Adopted March 27, 1969 .]

28. [Omitted March 28, 1972 .]

References to the Committees on Rules.

29. All motions and orders authorizing joint committees to travel or to employ stenographers, or authorizing joint committees or special commissions composed as a whole or in part of members of the General Court to make investigations or to file special reports, all propositions reported by joint committees which authorize investigations or special reports by joint committees or by special commissions composed as a whole or in part of members of the General Court, all motions or orders proposed for joint adoption which provide that information be transmitted to the General Court, and all matters referred under the second paragraph of Joint Rule 12, shall be referred without debate to the committees on Rules of the two branches acting concurrently, who shall report on the matter, under Joint Rule 10. All matters which have been referred under this rule shall, in each instance, be reported back into the branch making such reference.

[Adopted Jan. 10, 1898. Amended Jan. 20, 1904; Jan. 28, 1913; Feb. 19 and Dec. 22, 1920; April 11, 1935; April 22, 1937; Jan. 27, 1955; Jan. 30, 1967; Oct. 18, 1971.]

30. All motions or orders extending the time within which joint committees and the committees on Rules of the two branches, acting concurrently, are required to report shall be referred without debate to the committees on Rules of the two branches, acting concurrently, who shall report recommending what action should be taken on the motion or order. Such extension shall be granted by a concurrent majority vote if recommended by the committees on Rules of the two branches, acting concurrently; but no such extension shall be granted, against the recommendation of the committees, except by a four-fifths vote of the members of each branch present and voting on the extension. This rule shall not be rescinded, amended or suspended, except by a concurrent vote of four-fifths of the members of each branch present and voting thereon.

[Adopted Jan. 16, 1903. Amended Feb. 6, 1912; Feb. 19, 1920; Jan. 6, 1947; Jan. 27, 1955; June 7, 1965.]

Members.

31. A member of either branch who directly or indirectly solicits for such member or others any position or office within the gift or control of a railroad corporation, street railway company, gas or electric light company, telegraph or telephone company, aqueduct or water company, or other public service corporation, shall be subject to suspension for such solicitation, or to such other penalty as the branch of which the person is a member may see fit to impose. [See G. L. 271, sec. 40.]

[Adopted May 22, 1902.]

Accommodations for Reporters.

32. Subject to the approval and direction of the committees on Rules of the two branches, acting concurrently, during the session, and of the President of the Senate and the Speaker of the House of Representatives after prorogation, the use of the rooms and facilities assigned to reporters in the State House shall be under the control of the organizations of legislative reporters known as the Massachusetts State House Press Association and the State House Broadcasters Association. No person shall be permitted to use such rooms or facilities who is not entitled to the privileges of the reporters' galleries of the Senate or of the House. Within 10 days after the General Court convenes the Massachusetts State House Press Association and the State House Broadcasters Association shall each transmit to the President of the Senate, the Speaker of the House of Representatives and the Sergeant-at-Arms a list of the legislative reporters with the principal publication or news service which each represents.

[Adopted Jan. 27, 1911. Amended Feb. 24, 1914; Feb. 19, 1920; April 17, 1925; May 23, 1979; Feb. 12, 2009.]

Suspension of Rules.

33. Any joint rule except Rule 10 and Rule 30 may be altered, suspended or rescinded by a concurrent vote of two-thirds of the members of each branch present and voting thereon.

[Amended Feb. 7, 1893. Adopted in revised form Jan. 9, 1899. Amended Jan. 16, 1903; Jan. 26, 2005.]

Audit of Accounts.

34. The committees on Rules of the two branches, acting concurrently, shall provide that an outside independent audit of joint financial accounts be conducted by a certified public accountant no less frequently that at the end of each second fiscal year. A copy of such audit shall be filed with the Clerks of the Senate and House of Representatives and made available for public inspection upon reasonable notice and during regular office hours.

[Adopted May 30, 1985.]

35. The committees on Rules of the two branches, acting concurrently, shall reexamine the Joint Rules of the House and Senate as needed, but at least every 4 years, and shall report to each branch any recommendations it may have to facilitate the work of the respective branches and the joint standing committees.

[Adopted June 12, 1995.]

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NOTES OF RULINGS

OF THE

PRESIDING OFFICERS

From the Year 1833.

PREPARED BY THE HONORABLE GEORGE G. CROCKER AND
CONTINUED BY HIM UNTIL 1913. SUBSEQUENT NOTES
HAVE BEEN ADDED BY THE CLERKS OF
THE TWO BRANCHES.

MEMORANDA. — S. or S.J. stands for Senate Journal, H or H.J. for House Journal. Citations from Journals which have never been printed refer to the duplicate manuscript copy in the State Library.

NOTES OF RULINGS

OF THE

PRESIDING OFFICERS ON THE CONSTITUTION OF MASSACHUSETTS

POWER OF PRESIDING OFFICERS TO DECIDE CONSTITUTIONAL QUESTIONS. — In a decision on a money bill, in which it was held that it was within the province of the Chair to decide the constitutional question involved, the following statement was made: "It is of course not intended to assume to the Chair any right of decision as to the constitutionality of matters of legislation in relation to their substance; but where the question relates to form and manner of proceeding in legislation, or, in other words, is one of order, it is the duty of the Chair to rule upon the same, although it may depend upon the provisions of the Constitution for its solution." Cases of a proposition to adjourn for more than two days, of proceedings without a quorum, of a faulty enacting form, and of neglecting to take the yeas and nays on a vetoed bill are cited. PITMAN, S. 1869, p. 341. SEE also STONE, H. 1866, p. 436; JEWELL, H. 1868, p. 386; BUTLER, S. 1894, p. 648; MEYER, H. 1894, pp. 509, 1399; DARLING (acting President), S. 1895, p. 578; TREADWAY, S. 1911. p. 506; YOUNG, H. 1922, p. 683; WILLIS, H. 1947, p. 528; FURBUSH, S. 1951, p. 1591.

A point of order having been raised that a proposed amendment was not in order for the reason that it was unconstitutional, it was held that it was not within the province of the Chair to decide as to the constitutionality of the amendment. BATES, H. 1897, p. 979. See also WALKER, H. 1910, p. 1480; BLANCHARD (acting President), S. 1911, p. 1497; COTTON, S. 1939, p. 999; HOLMES, S. 1958, p. 1344.

That it was not within the province of the Chair to rule on the constitutional question that the House was in session on the Lord's Day contrary to the provisions of the Constitution; or whether the passage of a resolve would result in abridging the rights of a contract. HERTER, H. 1939, p. 2112; GIBBONS, H. 1953, p. 927.

That it was not within the province of the Chair to rule on questions as to legality or form of legislation involving decisions of the courts. HOLMES, S. 1958, p. 1429.

That an amendment to the General Appropriation Bill which, if adopted, would delegate the powers of the General Court to change general statutes to a commission and as such was clearly beyond the power of the House, raises a question of law, or of the Constitution, that was beyond the prerogative of the Chair to pass on. See GIBBONS, H. 1953, p. 1556.

That an amendment to the House Bill imposing limitations on property tax levies and expenditures of cities, towns and other local governmental units dependent on the property tax (House, No. 5757) would limit the appropriation power of the General Court as granted by the Constitution. MCGEE, H. 1979, p. 562.

That an amendment to the General Appropriations Bill calling for a transfer of activities plan to be subject to the approval of house and senate committees on ways and means was unconstitutional because it was beyond the power of the Senate to delegate its powers to the committee on Ways and Means, it was ruled that it was not in the province of the Chair to rule on the constitutionality of the item. BULGER, S. 1981, p. 807.

For further rulings regarding the power of the presiding officer to decide constitutional questions, see MEYER, H. 1896, p. 254; MYERS, H. 1901, p. 1352; SALTONSTALL, H. 1934, p. 315; WRAGG, S. 1938, p. 836; COTTON (acting President), S. 1938, p. 1239; COTTON, S. 1939. p. 784; ARTHUR W. COOLIDGE, S. 1946, p. 1095. See also notes under Declaration of Rights, ART. XXX., CHAP. I., SECT. I., ART. II., CHAP. I., SECT. III, ART. VII., CHAP. VI., ART. II. and ARTICLES OF AMENDMENT XLVIII, LXII and LXIII.

DECLARATION OF RIGHTS, ART. XXX. — For a case in which it was ruled that it was not within the province of the Chair to decide as to the constitutionality of a bill that delegated legislative power to the Supreme Judicial Court, see WRAGG, S. 1938, p. 487. See also note to CHAP. II, SECT. I., ART. V.

In Joint Session it was ruled not to be within the province of the Chair to rule on the Constitutional question that it was an Executive intrusion upon the lawmaking power and authority of the General Court under Part the Second, Chapter I, Section I, Article 4 and Article XXX of the Declaration of Rights of the Constitution for the Governor to call a special session of the General Court with a restricted purpose of continuing the previous joint session. BULGER (*in joint session*), S. 1980 (Continuance of Joint Session), p. 4 and H. 1980 (Continuation of Joint Session), p. 4.

CHAP. I., SECT. I., ART. II. — *"No bill or resolve."* See LONG, H. 1878, p. 58; NOYES, H. 1880, p. 123.

"Laid before the Governor for his revisal." If either branch desires for any reason to revise an enacted bill, concurrent action of the two branches must be had, and the motion should be one providing that a message be sent by the two branches requesting the Governor to return the bill to the Senate. JEWELL, H. 1869, p. 645. Notwithstanding this ruling, it is customary for the Senate, when it desires to revise an enacted bill, to request the return of the bill. without asking the concurrent action of the House. See SALTONSTALL, H. 1934, p. 710.

A motion to request the Governor to return a bill to the Senate having been made on the fifth day after the bill had been laid before the Governor and, during debate on this motion the five days within which executive action was required to be taken having expired at midnight, the motion was then ruled out of order. HOLMES (acting President), S. 1954, p. 1160.

"Who shall enter the objections . . . and proceed to reconsider the same." In a case in which a resolve and the objections thereto were laid on the table, it was held that it was then out of order to introduce a new resolve of a similar nature. GOODWIN, H. 1890, p. 613.

"But if, after such reconsideration, two-thirds of the said Senate or House of Representatives shall, notwithstanding the said objections, agree to pass the same, it shall, together with the objections, be sent to the other branch of the Legislature, where it shall also be reconsidered, and if approved by two-thirds of the members present, shall have the force of a law." Under this provision it has been held that in the branch first taking action a vote of two-thirds of the members present is sufficient to pass a bill. CLIFFORD, S. 1862, p. 625; BULLOCK, H. 1862, p. 586 (full discussion). See Kay Jewelry Company *v.* Board of Registration in Optometry, 305 Mass. 581. See also Walker *v.* State, 12 S. C. 200; Frillsen *v.* Mahan, 21 La. Ann. 79. *Contra,* see Co. of Cass *v.* Johnston, 95 U.S. 360; 2 Op. Att. Gen., 513 (1904, July 11).

In 1862, in a case in which, the President not voting, 33 votes were cast, of which 22 were in favor of the passage of the bill, it was held that the record of the yeas and nays was the only evidence of the number or the names of the members present, and that the necessary two-thirds had been obtained. CLIFFORD, S. 1862, p. 625. Later decisions do not support this position. SANFORD, H. 1874, p. 564; PILLSBURY, S. 1885, p. 584; HARTWELL, S. 1889, p. 589; BARRETT, H. 1889, p. 226. See also House Rule 67. See Brown *v.* Nash, 1 Wyoming Terr. 85.

It is permissible to reconsider a vote refusing to pass a bill over the Executive veto, notwithstanding the first vote is described in the Constitution as a reconsideration of the bill. SANFORD, H. 1874, p. 583;

FROTHINGHAM, H. 1905, p. 1098. But see Sank *v.* Phila., 4 Brewster, 133. Wilson's Digest, 2058, 2151.

"Returned by the Governor within five days." It is not within the province of the Chair to rule on a point of order that a bill is not properly before the House for the reason that it was not returned by the Governor with his objections thereto in writing within the time fixed by the Constitution. MEYER, H. 1894, p. 1399.

"Both Sunday and a legal holiday. . . are to be excluded in computing the five-day period." OPINION OF JUSTICES, S. 1935, p. 838. *Contra,* see Op. Att. Gen., Vol. III, p. 414.

Simply leaving the papers in the clerk's office after it is closed on the fifth day, with no official record whether left before or after midnight, is not such a return. CUSHING, H. 1912, p. 1879. [See notes to Articles of Amendment, LVI.] [Number of days Governor has to consider bills and resolves changed to *ten* (10), see Article XC of the Amendments.]

CHAP. I, SECT. I, ART. IV.— *"All manner of wholesome and reasonable orders."* An order may not be used as the form for anything "on its way to become law." LONG, H. 1878, p. 60; SALTONSTALL, H. 1930, p. 229.

"To set forth the several duties, powers and limits of the several civil and military officers." For certain resolves defining the powers of the Legislature, especially the power to prescribe duties to the Governor and other executive officers, see PHELPS, H. 1857, p. 557.

CHAP. I., SECT. II, ART. VI. — See note to CHAP. I, SECT. III., ART. VIII.

CHAP. I., SECT. II., ART. VII. — For opinion of the Justices of the Supreme Judicial Court relative to the term for which officers of the Senate may be elected, see S. 1922, p. 3. See also Op. Att. Gen., H. 1921, p. 1027.

CHAP. I., SECT. II., ART. VIII. — For discussion of impeachment of public officers, see Senate document numbered 1535 of 1972, by Norman L. Pidgeon, Senate Clerk and Parliamentarian.

CHAP. I., SECT. III., ART. VI. — For a case of an arraignment of a State official at the bar of the House, see HALE, H. 1859, p. 149. [For discussion of impeachment of public officers, see Senate document numbered 1535 of 1972, by Norman L. Pidgeon, Senate Clerk and Parliamentarian.]

CHAP. I., SECT. III., ART. VII. — *"All money bills shall originate in the House of Representatives."* The exclusive constitutional privilege of the House of Representatives to originate money bills is limited to bills that transfer money or property from the people to the State, and does not include bills that appropriate money from the treasury of the Commonwealth to particular uses of the government or bestow it upon individuals or corporations. The Senate can originate a bill or resolve appropriating money from the treasury of the Commonwealth, or directly or indirectly involving expenditures of money from the treasury, or imposing a burden or charge thereon. OPINION OF JUSTICES, S. 1878, appendix; 126 Mass. 557; PITMAN, S. 1869, p. 340; COGSWELL, S. 1878, p. 279; GOODWIN, S. 1941, p. 1317; RICHARDSON, S. 1948, pp. 806, 815, 859. *Contra,* see JEWELL, H. 1868, p. 385; JEWELL, H. 1869, p. 630; LONG, H. 1878, pp. 197, 563.

See LORING, S. 1873, p. 409, for opinion that money bills should be allowed to originate in either branch.

It is the duty of the presiding officer of the Senate to observe with punctilious care the constitutional prerogatives of the House of Representatives. Without waiting for a point of order to be raised, he should cause a money bill which originates in the Senate to be laid aside or recommitted. In such case the action on the bill previously taken by the Senate is to be considered as not having been taken. BUTLER, S. 1894, p. 555; BUTLER, S. 1895, p. 378; SOULE, S. 1901, p. 753; MCKNIGHT, S. 1920, p. 583; ALLEN, S. 1924, p. 450; WELLINGTON WELLS, S. 1925, pp. 376, 447 and S. 1926, p. 372; BACON, S. 1932, p. 670; FISH, S. 1933, p. 282 and S. 1934, p. 360.

An amendment to a bill relative to recycling of beverage containers that instituted a new fine was ruled as imposing a new penalty and not initiating a new tax. Therefore the amendment was properly before the Senate and did not need to originate in the House, BULGER, S. 1979, p. 1017.

It was formerly held that bills designating certain property as subject to or exempted from taxation, as well as bills imposing a tax in terms, were "money bills." BISHOP, S. 1881, p. 419; PINKERTON, S. 1893, p. 811. See also SANFORD, H. 1873, p. 283; STONE, H. 1866, p. 436. Later, an important bill exempting certain kinds of personal property from taxation was held not to be a "money bill." In rendering his decision, President BUTLER called attention to the fact that conditions which led to the adoption of this constitutional provision no longer exist, that the members of the Senate, like the members of the House, are now elected directly by the people, that the property qualifications of senators have been abolished, that representation in both branches alike is based on the number of legal voters, and that there remains no reason or excuse for construing into the Constitution a prohibition which does not clearly appear, that the bill was not in itself a proposition to impose a tax, and that in determining the point of order it was unnecessary to conjecture what results might accrue from its passage. BUTLER, S. 1895, p. 737.

It has been held that a bill exempting from taxation certain property in a particular town is not a "money bill." PILLSBURY (acting President), S. 1884, p. 259.

A bill abolishing certain existing exemptions from taxation and thereby subjecting to taxation property previously exempted, was held not to be a "money bill." TREADWAY, S. 1911, p. 506.

A bill, known as the bar and bottle bill, was held not to be a "money bill." WALKER, H. 1910, p. 941.

The words "money bill" do not cover bills merely creating a debt, but only bills relating to the taking of money or property from the people for the payment of a debt, or for some other public purpose. DANA, S. 1906, p. 1033.

A bill to provide for changes in the employment security law was held not to be a "money bill" for the reason that the money in the unemployment compensation fund is used only to pay benefits to certain employees and not for general purposes. FURBUSH, S. 1951, p. 991.

A bill granting a subsidy to the New York, New Haven and Hartford Railroad Company to aid in continuing service on a branch thereof was held not to be a "money bill." HOLMES, S. 1958, p. 1181. [See OPINION OF JUSTICES, S. 1958, p. 1139.]

A bill which amends an existing tax law is not a "money bill" if it does not increase the tax. FURBUSH, S. 1951, p. 1091.

A bill is considered as originating in that branch in which it is first acted upon. BRACKETT, H. 1885, p. 759.

For a case in which the Senate instructed a committee to report a bill to the House, see PILLSBURY, S. 1886, p. 702.

A bill providing for the payment of a filing fee for petitions for legislation was held to be a "regulatory measure" and not a "money bill" within the meaning of the Constitution. WELLINGTON WELLS, S. 1925, p. 609.

An amendment offered to the General Appropriation Act calling for a surtax of ten percent on corporations was laid aside. DONAHUE, S. 1964, p. 952. [See J. R. 4 "Money Bills."]

An amendment calling for a 20% tax on the commercial sale of blood by blood banks was ruled out of order in that the amendment proposed a new tax and should therefore originate in the House. BULGER, S. 1979, p. 1343.

An amendment to a deficiency budget calling for a two percent tax on gross receipts of petroleum companies, was ruled out of order because the pending amendment would convert the bill to a "money bill" which must originate in the House. BULGER, S. 1980, p. 1009.

[For discussion of "Budget — Powers of General Court and Executive Branch" see Senate document numbered 1525 of 1973, by Norman L. Pidgeon, Senate Clerk and Parliamentarian.] [For a discussion of what is a "Money Bill" and where should such bills originate, see Senate document numbered 2010 of 1973, by Norman L. Pidgeon, Senate Clerk and Parliamentarian.]

CHAP. I, SECT. III., ART. VIII. — *"Provided such adjournments shall not exceed two days at a time."* Sunday is not to be counted, but Fast Day must be counted. STONE, H. 1867, p. 270; JEWELL, H. 1868, p. 311. See also MEYER, H. 1895, p. 1313. [See also notes to CHAP. I., SECT. I., ART. II.]

CHAP. I., SECT. III., ART. X. — *"And settle the rules and orders of proceedings in their own House."* See LONG, H. 1878, p. 60.

CHAP. II., SECT. I., ART. V. — An amendment which would have made a certain bill provide that a special session of the General Court be called by the Governor was held not to be in order for the reason that such a provision would interfere with the prerogative of the latter. BLISS (acting Speaker), H. 1919, p. 1502.

CHAP. III., ART. I.— For discussions of "removal by address" — see Senate document numbered 1535 of 1972, by Norman L. Pidgeon, Senate Clerk and Parliamentarian.

CHAP. III., ART. II. — Opinions of the Justices of the Supreme Judicial Court may be required only when "such questions of law are necessary to be determined by the body making the inquiry, in the exercise of the legislative or executive power entrusted to it by the Constitution and laws of the Commonwealth" and "upon solemn occasions." OPINION OF JUSTICES, S. 1935, p. 448.

"Important questions of law" must be explicitly stated. OPINION OF JUSTICES, S. 1938, p. 382.

CHAP. VI., ART. II. — *"But their being chosen or appointed to, and accepting the same, shall operate as a resignation of their seat in the Senate or House of Representatives."* It is not within the province of the Chair to decide whether a member has forfeited his membership by accepting an office incompatible with his seat in the Legislature. HALE, H. 1859, p. 48.

ARTICLES OF AMENDMENT.

ART. I. — As to authority of Governor to approve within the five-day period after prorogation of the General Court of measures laid before him before prorogation. See Op. Att. Gen. 168, KNOWLTON, 1894; FINGOLD, 1956. [See also OPINION OF JUSTICES to Governor, Oct. 1956.] [See Article LXXXX of the Amendments.]

ART. VIII. See note to Constitution, Chap. VI., Art. II.

ART. IX. (*Annulled by Art. XLVIII.*) An amendment to the Constitution may be amended on the second year of its consideration, but such action will necessitate its reference to the next Legislature. BISHOP, S. 1880, p. 321; NOYES, H. 1880, p. 57: DEWEY (acting Speaker), H. 1890, p. 369.

It has also been held that an amendment to the Constitution cannot be amended on the second year of its consideration. PHELPS, H. 1857, p. 906; PHELPS, S. 1859, p. 323.

A vote agreeing to an article of amendment to the Constitution can be reconsidered. MARDEN, H. 1883, pp. 377, 422-427; MORAN (in *joint session*), S. 1935, p. 992, and H. 1935, p. 1289.

As to the method of procedure in acting on an amendment on the second year, and in providing for its submission to the people, see NOYES, H. 1881, p. 466. See also MEYER, H. 1896, pp. 255, 269.

That a named member may not be ejected for an extended period without a trial was not subject to a point of order because it was not within the province of the Chair to rule on constitutional matters. See BULGER (acting President), S. 1978, p. 1097.

That the report of the special committee on the naming of a member placed before the joint convention cannot be voted upon since it calls for the expulsion of the named member from the assembly unless he takes a course of action and also that the named member has not been afforded a trial prior to the meeting of the joint convention was not the subject of a point of order because there was ample precedence for the procedure being used. See BULGER (acting President), S. 1978, p. 1097.

ART. X.— *"But nothing herein contained shall prevent the General Court from assembling at such other times as they shall judge necessary."* As to methods of providing for such assembling, see OPINION OF JUSTICES, H. 1936, p. 1461. See note to CHAP. II., SECT. I., ART. V.

ART. XVII. In a joint convention for the purpose of filling a vacancy in a State office, the calling of the roll, and each member arising and announcing his choice, does not constitute a "ballot" within the meaning of this Amendment. WELLINGTON WELLS, S. 1928, p. 689, and H. 1928, p. 960.

A majority vote is necessary to elect a State officer to fill a vacancy, and a plurality vote is not sufficient. HOLMES (*in joint session*) S. 1958, p. 1356, H. 1958, p. 1860.

ARTS. XXI and XXII. See 157 Mass. 595.

ART. XXV. — The question being raised that the method of voting for a Councillor to fill a vacancy, by call of the roll, could not be considered a ballot, the Chair rules that this Article did not require the election to be by *ballot,* but by *concurrent vote.* GOODWIN, S. 1941, p. 389.

ART. XXXIII. — See note to House Rule 68.

It is immaterial that a quorum does not vote if a quorum is present. PILLSBURY, S. 1885, p. 584; HARTWELL, S. 1889, p. 589; BARRETT, H. 1889, p. 226. See notes to House Rules 67 and 105, and note to Senate Rules under "Voting." *Contra,* see CLIFFORD, S. 1862, p. 625.

The words *"a majority of the members"* means a majority of the whole membership established by the Constitution. See Op. Att. Gen., Vol. I (1892), p. 36 (House Doc. No. 38). [See Senate document numbered 1496 of 1971.]

[For discussion of *majority* under certain circumstances, see Senate document numbered 1535 of 1972, by Norman L. Pidgeon, Senate Clerk and Parliamentarian.]

In ascertaining the presence of a quorum, senators who are in the chamber but do not answer to their names when the roll is called are to be counted. SOULE, S. 1901, p 1014.

ART. XLVIII. — See notes to Art. of Amend. IX. See also note to House Rule 80, *"And he shall receive no motion relating to the same, except, etc."*; and note to Joint Rule 23. See Senate document numbered 1535 of 1972, by Norman L. Pidgeon, Senate Clerk and Parliamentarian for discussion of Initiative and Referendum. [See Mass. Reports 1956, Vol. 334, p. 757. See Statement, POWERS, S. 1960, p. 939.]

THE INITIATIVE. II. Sect. 2. (1) Attorney General has authority, under the Massachusetts Constitution, to refuse to certify a proposed initiative as not in proper "form" because it does not propose a "law," and (2) proposed initiative, relating to internal legislative procedures which are within the constitutional unicameral powers of the respective houses, did not relate to a "law" and, therefore, was not a proper subject for the popular initiative. [390 Mass. 593, 1983.]

THE INITIATIVE. II, Sect. 3. An initiative petition contains subjects that are not related; and also contains language which proposed to change a law which had been voted on ". . . in either of the last statewide elections". [See OPINION OF THE JUSTICES, H. 1996, pp. 2013-2014; for printed document, see House, No. 5968 of 1996.]

THE INITIATIVE. III. Sect. 2.— It is not necessary to take action on a resolution providing for a legislative substitute before taking final action on an original initiative bill. WRAGG, S. 1938, p. 1029.

A proposed legislative substitute for an initiative bill, of the same general subject matter, although not confined to the particular wording or scope of the original petition, may be offered. RICHARDSON, S. 1950, p. 1097.

Various rulings on Legislative Substitutes to Initiative Measures. MCGEE, H. 1976. pp. 1668, 1669, 1670.

THE INITIATIVE. IV. Sect. 2.— Action must be taken on a proposed legislative amendment to the Constitution not later than the second Wednesday in June. See MCKNIGHT (*in joint session*), Journals of Extra Session of 1920, S. p. 61, and H. p. 87. [See also OPINION OF JUSTICES, S. 1921, p. 329.]

Such provisos or limitations as may seem fit may be added to proposed legislative amendments to the Constitution. FURBUSH (*in joint session*), S. 1954, p. 897, and H. 1954, p. 1504.

That members in joint convention had no right to vote on an amendment relative to reducing the size of the House of Representatives for the reason that said House was malapportioned, see DONAHUE (*in joint session*), S. 1970, p. 724; H. 1970, p. 878.

Amendments to a proposal for amendment to the Constitution which go beyond the petition forming the basis for the prayer, are not in order, See DONAHUE (*in joint session*), S. 1969, p. 1323; H. 1969, p. 1878.

Amendments to a proposal for amendment to the Constitution do not go beyond the scope of the petition because House Rule 90 had been suspended. See HARRINGTON (*in joint session*). S. 1978, p. 1031; H. 1978, p. 1459.

For discussion of degree of vote necessary on amendments to Constitution, See Senate document numbered 1496 of 1971.

THE INITIATIVE. V. Sect. 1. Neither house has power to take a vote upon the enactment of a law introduced by initiative petition later than the day preceding the first Wednesday in June. NICHOLSON (acting President). S. 1945, p. 981, and O'NEILL, H. 1950, pp. 1474 and 1475. [These rulings were based on an opinion of the Justices of the Supreme Judicial Court. See S. 1945, p. 925.]

Affirmative action having been taken on an Initiative Amendment to the Constitution providing for biennial sessions of the General Court and for a biennial budget, it was held (*in joint session*) that a motion to reconsider such action must be entertained. MORAN (*in joint session*), S. 1935, p. 992, and H. 1935, p. 1289. [This ruling was confirmed by the Justices of the Supreme Judicial Court. See S. 1935, p. 1084.]

An Initiative Petition relative to parental choice in education should not be on the Joint Convention calendar because it was not properly introduced and pending in the General Court since the Attorney General had determined that it failed to meet the requirements of Article 48 of the Amendments to the Constitution. BIRMINGHAM (*in joint session*), S. 2000, p. 1385 and H. 2000, p. 2026.

THE REFERENDUM. II. — That nothing would be gained by the adoption of the preamble of a bill, in view of an opinion of the Justices of the Supreme Judicial Court that the bill is not subject to a referendum petition. HULL, H. 1926, p. 874.

An amendment proposing a state wide referendum on any bill is not in order, for the reason that this Article of Amendment (XLVIII) repealed Article XLII (authorizing reference to the people of acts and resolves) and substituted therefor a new method of referendum by petition. CAHILL (acting Speaker), H. 1935, pp. 1080, 1740; WRAGG, S. 1938, p. 836. [See also DOLAN, S. 1949, p. 717.]

As to the power of the Governor in declaring an emergency law, see 299 Mass. 191.

GENERAL PROVISIONS. II. *Limitations on Signatures.*

As to the validity of an initiative petition concerning an excessive number of certified signatures, See OPINION OF JUSTICES, S. 1950, p. 1054.

For a discussion as to the constitutionality of an initiative petition brought pursuant to Article 48 of the Amendments to the Constitution of the Commonwealth, entitled "An Act to ascertain and carry out the will of the people in 1970 relative to the calling and holding of a *constitutional convention* in 1971 to deal with subjects limited to the revision, alteration and amendment of the structure of government and to the arrangement, simplification and methods of amending the constitution; and to provide for a preparatory commission thereof, see *Opinions of the Honorable, the Justices of the Supreme Judicial Court,* 1970.

ART. LVI. — As to certain procedure in case of the return of a bill by the Governor with a recommendation of amendment, and for action taken in accordance therewith. See S. 1919, pp 749, 750; Op. Att. Gen., Vol. V. (1919), p. 349.

As to the practice of recalling bills from the Governor by the Senate. SALTONSTALL, H. 1934, p. 710.

A bill must be returned to the branch in which it originated. FISH, S. 1934, p. 562.

The Governor is restricted to amendments which are germane to the original proposition. YOUNG, H. 1924, pp. 630-632; SALTONSTALL, H. 1936, p. 1573; HARRINGTON, S. 1974, p. 2006. For a complete ruling on the matter of a Governor's right on proposed amendments, see B. LORING YOUNG, H. 1924, pp. 630-632.

That returning a bill with a recommendation that it be referred for further consideration and study to a special commission is an evasion of the responsibility of the Governor. CAHILL, H. 1938, p. 1622.

That the action of the General Court is limited to "amendment and re-enactment," and a motion to refer to the next annual session is not in order. ALLEN, S. 1923, p. 764; HULL, H. 1927, p. 639.

That after a bill has been returned by the Governor, and action thereon postponed, it is too late to raise the point of order that the message of His Excellency is null and void having lacked a signature when received and read. SLATER WASHBURN (acting Speaker), H. 1927, p. 683.

"Within five days." [See Article XC of the Amendments.] Simply leaving the papers in the clerk's office after it is closed on the fifth day is not sufficient. SALTONSTALL, H. 1936, pp. 1191, 1250. [See notes of Rulings on CHAP. I., SECT. I., ART. II.]

As to the danger of substituting a new bill for one returned by the Governor, see SALTONSTALL, H. 1931, p. 910 and H. 1932, p. 458.

That, when a bill is returned by His Excellency the Governor with a recommendation of amendment specified by him, a motion to place the message on file is improperly before the House for the reason that the Constitution provides that "Such bill or resolve shall thereupon be before the General Court and subject to amendment and re-enactment." HERTER, H. 1939, p. 895. [Changed to *ten* (10) days for Governor to return with Amendment — see Article XC of the Amendments.] [Entire bill open to amendment — General Court not limited to Governor's amendment.]

ART. LXII. — That it was not within the province of the Chair to rule as to the constitutionality of a bill providing for the loaning of money of the Commonwealth to individuals. ARTHUR W. COOLIDGE, S. 1945, p. 1229. See H. 1964, Const. of elections.

The requirement of a two-thirds vote on a bill providing for the borrowing of money by the Commonwealth is at the enactment stage. FURBUSH, S. 1951, p. 1601.

That it is not the prerogative of the Chair to rule on the constitutionality of a pending bill which, if enacted, might result in pledging the credit of the

Commonwealth in contravention to the prohibition contained in the Constitution. ARTESANI (acting Speaker), H. 1952, p. 1433.

ART. LXIII. — Special appropriation bills may be enacted, on recommendation of the Governor, before final action on the general appropriation bill. COTTON, S. 1939, p. 852.

After final action on the general appropriation bill, or on recommendation of the Governor, special appropriation bills may be enacted, but such bills shall provide the specific means for defraying the appropriations therein contained. See YOUNG, H. 1922, pp. 683-685.

That an amendment, providing for the appropriation of a sum of money for further continuing the special commission (including members of the General Court) established to investigate the existence and extent of organized crime and gambling and other related matters, was improperly before the House for the reason that it made an appropriation prior to the passage of the General Appropriation Bill. The Speaker stated that the question raised was whether the proposed amendment came within the exceptions provided in Article LXIII of the Amendments to the Constitution. Because of the constitutional nature of the question, he was of the opinion that it was beyond the province of the Chair to rule thereon. SKERRY, H. 1955, p. 2020.

That a bill providing a loan through the issuance of state bonds was not an "appropriation bill." SKERRY, H. 1955, p. 2075.

That a bill which provided for carrying out the provisions of the proposed act only "after an appropriation had been made therefor" is not a special appropriation bill. HERTER, H. 1939, p. 1940.

That a bill providing a twenty per cent increase for certain officers and employees in the service of the Commonwealth is not an appropriation bill. WILLIS, H. 1948, p. 1643. [For ruling of Supreme Judicial Court on definition of an "appropriation bill," see H. 1948, p. 1556.]

That a bill providing for "a distribution of funds" is not an appropriation bill. CAHILL, H. 1938, p. 1217. That a bill authorizing a department to expend money for state functions "without appropriation" is contrary to facts, for the reason that a state department cannot operate without an appropriation. CAHILL, H. 1938, p. 1217.

That there is no law, provision of the Constitution, or legislative rule which would bar the General Court from considering the revenue "Bill to provide for state activities" prior to the passage of the General Appropriation Bill, see GIBBONS, H. 1953, p. 855.

On a point of order that appropriations must be made by bill and not by resolve, it was ruled that while it was not within the province of the

Chair to rule on a question of interpretation of the Constitution, a precedent had been established for appropriating money by resolve. COTTON (acting President), S. 1938, p. 1239.

That an amendment proposing the insertion in the general [or supplementary] appropriation bill of an item not included *in the budget* is out of order, and defining the words "in the budget." HULL, H. 1926, p. 327; CAHILL (acting Speaker), H. 1935, p. 581; GIBBONS, H. 1953, p. 1536 and H. 1954, p. 1343; SKERRY, H. 1955, pp. 2377, 2380, 2381, 2383; DONAHUE, S. 1969, p. 1510.

That an amendment to a supplemental appropriation bill was not beyond the scope of the Governor's message for the reason that Section 3 of Article LXIII of the Amendments to the Constitution states, in part, that "the General Court may increase, decrease, add or omit items in the budget." MCGEE, H. 1977, p. 1856.

That the General Court cannot narrow the Governor's power to disapprove items or parts of items in a budget, or to veto any other legislation laid before him, but "on the same hand . . . the powers of the legislature cannot be narrowed, and one of said powers has always been the right to amend recommendations submitted by the Governor." HARRINGTON, S. 1978, p. 84.

As to competency of amendments which would introduce into appropriation bills subject-matter in the nature of new legislation "not required for reasonable financial control," see SALTONSTALL, H. 1935, pp. 879, 889; CAHILL, H. 1937, p. 775. See also SALTONSTALL, H. 1934, p. 1273; H. 1935, p. 1637; H. 1936, pp. 886, 926.

That it is not the intention of the Constitution to limit or deny the authority of the General Court in its ability to act in relation to the General Appropriation Bill, HARRINGTON, S. 1978, p. 821; BULGER, S. 1979, p. 960; S. 1983, p. 185; S. 1984, p. 463; S. 1987, pp. 1324 and 1330; S. 1993, p. 597; BRENNAN (acting President), S. 1985, p. 248.

An amendment to a Bill providing for a transportation development and improvement program for the Commonwealth relative to certain sections relating to the duties of the Massachusetts Convention Center Authority for which there was no petition filed was ruled in order due to the wide flexibility given amendments to appropriations bills and that members of the Senate should be allowed to insert or omit items or sections based on the merits of the subject matter. They should not be denied the opportunity to debate and vote on measures unless the amendment offered is clearly and without question beyond the scope of the legislation pending. BULGER, S. 1983, p. 1413.

As to competency of amendments of appropriation bills "reserving specific amounts for certain purposes and otherwise limiting the discretion of the Governor and Council," see SALTONSTALL, H. 1936, pp. 886, 926.

"The Governor may disapprove or reduce items or parts of items in any bill appropriating money." But the right to disapprove "does not extend to the removal of restrictions imposed upon the use of the items appropriated." "No power is conferred to change the terms of an appropriation except by reducing the amount thereof." SALTONSTALL, H. 1936, pp. 1323, 1424. [This ruling was based on an opinion of the Justices of the Supreme Judicial Court (from which the quotations are made),— see H. 1936, p. 1418.] BARTLEY, H. 1974, p. 2381.

As to advisability of the House amending its rule so "that budgetary items may not be moved a second time (except under suspension of the rules), on the ground that the Constitution recognizes and provides for separate action on individual items of an appropriation bill, thus giving them a separate entity," see SALTONSTALL, H. 1936, p. 1599; CAHILL, H. 1937, p. 846.

As to reference of budget recommendations to the House committee on Ways and Means only, see CAHILL, H. 1938, p. 246.

That a proposed substitute bill, for a "Bill making appropriations for the fiscal year 2000, prior to final action on the General Appropriation Bill for said fiscal year", was improperly before the House for the reason that it would make appropriations not contained in the message submitted by the Governor, and appears to be in violation of Section 3 of Article 63 of the Amendments to the Constitution, which requires that special appropriations prior to action on the General Appropriation Bill shall only be on recommendation of the Governor. NAGLE (acting Speaker), H. 1999, pp. 903-904.

[For discussion of "Budget — Powers of General Court and Executive" see Senate document numbered 1525 of 1973, by Norman L. Pidgeon, Senate Clerk and Parliamentarian.]

ART. LXXI. — For opinion relative to the appointment of commissioners to divide the Commonwealth into representative districts, see 157 Mass. 595 (SJC 1893); S. 1939, p. 935.

ART. LXXIX. — See Article XVII.

ART. LXXX. — The intent of this provision seems to be to provide for the continued representation in the General Court of the people of a particular district pending action by the House itself in determining the question by seating one of the two individuals or by providing for determining the incumbent by means of a special election. QUINN (acting Speaker), H. 1965, p. 388.

ART. LXXXI. — If the two houses fail to agree upon a time for holding a joint session to consider proposals for specific amendments to the Constitution, which has been called for by either house, the governor shall call the same. For opinion on whether certain proposals were properly before a joint session so called, see FURBUSH (*in joint session*), S. 1955, pp. 861, 929; H. 1955, pp. 1354, 1435. [See FURBUSH (in *joint session*), S. 1956, pp. 902, 930; H. 1956, pp. 1404, 1432.] [See Statement POWERS, S. 1960, p. 939.]

That members in joint convention had no right to vote on an amendment relative to reducing the size of the House of Representatives for the reason that said House was malapportioned, see DONAHUE (*in joint session*), S. 1970, p. 724; H. 1970, p. 878.

Amendments to a proposal for amendment to the Constitution which go beyond the petition forming the basis for prayer, are not in order, see DONAHUE (*in joint session*), S. 1969, p. 1323; H. 1969, p. 1878.

For a discussion as to the constitutionality of an initiative petition brought pursuant to Article 48 of the Amendments to the Constitution of the Commonwealth entitled "An Act to ascertain and carry out the will of the people in 1970 relative to the calling and holding of a *constitutional convention* in 1971 to deal with subjects limited to the revision, alteration and amendment of the structure of government and to the arrangement, simplification and methods of amending the constitution; and to provide for a preparatory commission thereof, see *Opinions of the Honorable, the Justices of the Supreme Judicial Court, 1970.* See Mass. 585. S. J. 1893.

ART. LXXXIX. — That an amendment to a pending bill which had been filed with the approval of the mayor and city council of the city of Boston would be in violation of the Home Rule Amendment to the Constitution. MCGEE (acting Speaker), H. 1974, p. 1654. Home Rule.

That an amendment to provide for placing a binding question question on the ballot went beyond the scope of the petitions upon which was based the Bill reorganizing the school committee of the city of Boston. VOKE (acting Speaker), H. 1991, p. 814.

For various rulings by Attorney General, see:

1969 - (Boston - rent control) - see House, No. 5667 of 1969 (printed in full in House Journal for August 14, 1969, page 2545).

1969 - (city and town charters) - see House, No. 5655 of 1969 (printed in full in House Journal for August 13, 1969, page 2524).

1969 - (Stadiums) - see House, No. 5668 of 1969 (printed in full in House Journal for August 14, 1969, page 2549).

1970 - (West Springfield - taking of water from town of Southwick) - see House, No. 5517 of 1970.

[For opinion of Attorney General on appointments to special commissions by Governor, President of the Senate and Speaker of the House of Representatives, see H.J. June 29, 1973 - or House document numbered 7097 of 1973.]

That a petition relative to reforming the charter of the city of Boston was properly referred to the committee on Local Affairs and was not subject to the provisions of Joint Rule 12 for the reason that said petition was accompanied by an attested copy of an order showing approval of the city council and the mayor of the city. McGee, H. 1977, p. 16.

That an amendment to the Senate Bill establishing the Boston water and sewer commission and defining the powers thereof was improperly before the House for the reason that the pending bill was filed with the approval of the mayor and city council as required by section 8 of Article 89 of the Amendments of the Constitution, and to make a substantive change in the bill would require further approval of the mayor and city council of the city of Boston. McGee, H. 1977, p. 1566. [For similar ruling on a Somerville bill, see McGee, H. 1978, p. 1267.]

An override of a mayoral veto by the Gloucester city council does not constitute approval by "the mayor and city council, or other legislative body" of that city, as required by clause (1) of section 8 of article II of the Amendments to the Constitution, as appearing in article LXXXIX of the Amendments. [see, Opinion of Justices, 429 Mass. 1201 (1999).]

NOTES OF RULINGS.

ON THE

SENATE RULES

ORGANIZATION.

The election of the presiding officer being the first business necessary for the organization of the Senate, an order providing that the Senate proceed forthwith to the election of a President and determining the method of holding the election is in order even though no rules have been adopted to govern the Senate. HALEY (preliminary Chairman), S. 1949, pp. 4, 13, 14. See also pp. 27, 32.

An order for the appointment of a special committee to appoint committees was ruled out of order prior to the organization of the Senate, as business cannot be transacted by a legislative assembly until it is duly organized, the three essential parts of which are the qualification of the members, and the choice of the presiding and recording officers. MORAN (preliminary Chairman), S. 1935, p. 4.

THE PRESIDENT.

For opinion of the Justices of the Supreme Judicial Court relative to the term for which officers of the Senate may be elected, see S. 1922, p. 3. See also Op. Att. Gen. H. 1921, p. 1027.

The President has no power, either by general parliamentary law or by special authority vested in him by the Senate, to cause any document to be printed or distributed, or to prevent any document from being printed or distributed; and, upon the simple request of a member of the Senate, he has no authority to issue an order for the Sergeant-at-Arms to remove from the desks and files of the senators a report, portions of which are claimed to be unparliamentary. CROCKER, S. 1883, pp. 489, 575.

Under the rules of the Senate, and under the rules of general parliamentary procedure, the duties of the presiding officer are many. Several of these duties are: (a) to preserve order and decorum; (b) to restrain the members, when they are engaged in debate, within the rules of order; (c) to see that disorderly conduct of whatever nature is stopped; and (d) if the offending member persists in misconduct, the presiding officer is then *compelled* to invoke disciplinary action.

If a member violates the rules of the Senate by continually interrupting members in debate and thereby harassing the entire Senate, a member may arise to a point of order. BULGER, S. 1981, p. 1294.

While it is competent for a member of this branch to utilize the rules of procedure, once it becomes apparent to the presiding officer that said rules are being used in a dilatory manner and in such a way as to prevent the full body from taking action on the matter, it then becomes incumbent upon the presiding officer to rule the motion out of order so that the Senate may proceed to the business at hand and come to a conclusion of the question. BULGER, S. 1979, pp. 578, 1619; S. 1980, p. 418; S. 1981, p. 64; S. 1982, p. 903; S. 1983, pp. 507, 1312; S. 1985, pp. 903, 1708. FOLEY (acting President), S. 1982, p. 895; S. 1983, p. 465.

[For power of President to declare informal sessions or call off sessions, see Senate Rule 5A.]

CLERK.

[Senate Clerk shall be official Parliamentarian — see Senate Rule 7A.]

Rule 8. The suspension of this rule by itself does not take a bill out of the possession of the Clerk, nor does it preclude reconsideration moved in accordance with Senate Rule 53. JONES, S. 1904, p. 802; COTTON, S. 1939, p. 435; FURBUSH, S. 1951, p. 1349.

This rule does not apply to a bill which is referred to the committee on Ways and Means under the Senate rule relating to bills involving the expenditure of public money. SMITH, S. 1900, p. 885.

See notes to House Rule 70.

"*Except petitions, bills and resolves introduced on leave, orders,*" etc. As to the reason for these exceptions and their effect, see LORING, S. 1873, pp. 295, 299. It would seem that the right to reconsider the enactment of a bill, the reference of a petition or bill, or the adoption of an order, should expire when the bill, petition or order passes out of the hands of the Clerk.

[This rule was omitted in 1969, but the mere fact that the rule no longer exists in no way takes away or diminishes the right of a member to move reconsideration, as long as the papers can be made available.]

MEMBERS OF THE SENATE.

Rule 10. In the case of a bill relative to the common use of tracks by two or more street railway companies it was held that it was not a matter in which the private right of a senator who was president of a street railway company could be said to be immediately concerned as distinct from the public interest. CHAPPLE, S. 1907, p. 730.

A senator may vote on a measure affecting his private right if the vote is cast against his own pecuniary interest. FISH, S. 1934, p. 716.

In the case of a bill providing for the election by the General Court of the commissioners of the Department of Public Utilities, it was held that the private right of a member of the Senate who was a director of a division under the control of said commissioners was not distinct from the public interest. MORAN, S. 1935, p. 487.

The proper time to raise a point of order questioning the right of a member to vote on account of interest is after the vote has been recorded and before the result is announced. WRAGG, S. 1938, p. 502.

For a case in which the private right of a member was declared to be immediate and distinct from the public interest, see WRAGG, S. 1938, p. 502.

See S. J. 1973, May 16.

See also notes to Senate Rule 56 and House Rule 63.

COMMITTEES.

Rule 12. For sundry rulings as to committees, see notes on Joint Rules "Committees" and "Sundry Rulings."

"*A committee on Ways and Means*" (*formerly* "*on the Treasury*"). See notes to House Rules 20, 25.

For ruling on inability to dictate type of report committee should make. KEVIN B. HARRINGTON, S. J., May 9, 1973.

Rule 13A. An order relating to procedure of the Senate is exempt from this rule. MORAN, S. 1935, p. 1181.

Rule 13B. The call for a minority caucus does not change or alter Senate Rule 42, which prohibits the interruption of a member while speaking. BOVERINI (acting President), S. 1991, p. 94.

Rule 15. A bill relating to the taxation of telegraph companies was held not to come within the provisions of this section, although it appeared that there might be but one such company in existence. HARTWELL, S. 1889, p. 732.

A bill to abolish an office in the State service was held not to come within the provisions of this rule. GOODWIN, S. 1941, p. 1415.

See also notes to House Rule 31 and Joint Rule 8.

Rule 16. A special act, as distinguished from a general law, is one which directly affects individuals as such differently from the class to which they belong or from the people at large. PILLSBURY, S. 1885, pp. 588, 589. It is not within the province of the Chair to rule that the object of an application can be secured under existing laws, or without detriment to the public interests by a general law. This question must be determined by the committee (PILLSBURY, S. 1885, p. 588; HARWOOD [acting President], S. 1899, p. 249), unless it appears on the face of the papers that the object can be secured under existing laws. PILLSBURY, S. 1886, p. 700. For a case in which it was held not to be allowable to substitute a general law for a special act, see PILLSBURY, S. 1885, p. 589.

Amendments which, if adopted, would change the character of a general bill to a special bill are not in order. PINKERTON, S. 1893, p. 505; LAWRENCE, S. 1897, p. 427; HENRY G. WELLS, S. 1915, p. 501; MCKNIGHT, S. 1919, p. 1139; WRAGG, S. 1938, p. 489; COTTON, S. 1939, p. 1235; POWERS, S. 1963, p. 1663; KEVIN B. HARRINGTON (acting President), S. 1966, p. 394; DONAHUE, S. 1966, p. 1609; BULGER, S. 1979, p. 1242.

A bill applying to only one city or town is special in its application, and cannot be offered as an amendment to an adverse report of a committee on a petition for general legislation applying to the entire Commonwealth. SMITH, S. 1900, p. 873; JONES, S. 1903, p. 491; GOODWIN, S. 1941, p. 1300.

Upon the question whether a proposed amendment would change a bill from a general to a special law, see SOULE, S. 1901, p. 543.

A bill relating to the appointment of certain officers of the city of Boston was held not to be a special bill. JONES, S. 1904, p. 210.

An amendment affecting all permanent positions in a State commission was held to be special in its application. FURBUSH, S. 1951, p. 1489.

A bill which applied to any and all officials of a specified city was held to be a "special act" and not a "general law" and, therefore, not applicable to, because broader than the scope of, a petition which sought legislation relative to one particular official of that city. WELLINGTON WELLS, S. 1926, p. 494.

A new draft offered as a substitute for a bill based on petitions for special legislation was laid aside on a point of order as it was beyond the scope of the petitions and could not be considered a general bill as it did not accomplish the result desired by the petitioners. COTTON, S. 1939, p. 1164.

This rule applies to resolves as well as bills, so that a resolve which is special in its application should not be reported or moved as a substitute for one that is general in nature. A committee to which is referred a resolve, special in nature, should if feasible report a general resolve.

Amendments to a general bill which, if adopted, would eliminate certain counties, cities or towns from the provisions thereof, or which make the bill applicable to only certain cities and towns, are not in order as they would have the effect of converting said general bill into a special act. See COTTON, S. 1939, pp. 711, 1340; NICHOLSON, S. 1947, p. 675;

DOLAN, S. 1949, pp. 437, 452; FURBUSH, S. 1951, p. 584; KEVIN B. HARRINGTON (acting President), S. 1966, p. 394.

However, an amendment to a general bill which would eliminate all cities of a specific classification from the provisions thereof, would be in order. DOLAN, S. 1949, p. 484.

That an amendment of the House Bill increasing the amount of contract assistance which may be provided by the Commonwealth to finance agreements with railroads to provide for passenger service to and from Boston for an extended period, was not in order for the reason that it would convert a general bill into a special bill. KEVIN B. HARRINGTON (acting President), S. 1967, p. 591.

That an amendment to substitute a "Bill abolishing the Walden Pond State Reservation Commission and transferring the care and maintenance of the Walden Pond State Reservation to the Department of Natural Resources", was laid aside for the reason that the bill was special and the petition upon which the matter was based, was general in nature. DONAHUE, S. 1967, p. 681. A resolution which is special in nature should not be reported upon one general in its application.

See also S. 1967, pp. 2200, 2228, 2230; S. 1970, p. 1375, with relation to special and general bills.

See notes to Senate Rule 50, House Rules 30 and 31, Joint Rule 7 and Sundry Rulings.

FORM OF BILLS AND RESOLVES.

Rule 17. Objection that this rule is violated cannot be sustained in the case of a House bill. PILLSBURY, S. 1885, p. 582.

INTRODUCTION OF BUSINESS.

[See Senate Rule 18 — Petitions introduced by members.]

Rule 19. Under this rule a bill based on a resolution was laid aside, for the reason that a resolution differs from a bill or resolve in that it is simply an expression of opinion by the General Court, has but one reading and is not laid before the Governor for his approval. CHAPPLE, S. 1907, p. 900.

Resolutions are not the proper vehicle for adopting rules of procedure for state offices and agencies. BULGER, S. 1982, p. 1024.

A bill reported on a joint order was laid aside. COGSWELL, S. 1878, p. 178.

A bill substituted by the House for an order was laid aside. NICHOLSON, S. 1947, p. 1245.

An order providing for the appointment of members of the General Court to make an investigation cannot be amended to include "persons to be appointed by the Governor". ARTHUR W. COOLIDGE, S. 1945, p. 720.

An order requesting opinions of the Honorable the Justices of the Supreme Judicial Court could not be substituted, in part, for local aid resolutions because the resolutions were simply declaring the intent of the Senate, were non-binding in nature and not a proper matter to be submitted to the court for opinions. BULGER, S. 1986, p. 55.

A bill which had been reported to the House and passed to be engrossed by that branch was laid aside by the Senate as the petition upon which it was purported to have been based had not been concurrently referred to the committee. WELLINGTON WELLS, S. 1927, p. 530.

A motion to substitute a resolve for an order is in order if the order is based on a petition properly introduced. WRAGG, S. 1938, p. 500.

Concurrent reference of the report of a State officer to committees for consideration is sufficient basis for legislation even though the report may not have been made in strict compliance with the General Laws. ARTHUR W. COOLIDGE, S. 1945, p. 810.

Rule 20. This rule requires that petitions for legislation be referred to "appropriate committees", but the fact that a petition has not been considered by the proper committee would not invalidate legislation which is reported on a petition regularly referred to any committee. FISH, S. 1933, p. 478.

The committee on Rules is required to report not later than the fourth legislative day succeeding the day of their deposit with the committee on any order or resolution referred to it under this rule. FURBUSH, S. 1951, p. 1788; BULGER, S. 1981, p. 366.

In order to come before the Senate (after the four day discharge period) the committee must make a report. BOVERINI, S. 1990, p. 401.

Resolutions relative to a prompt prorogation of the Senate were a proper matter to be referred to the committee on Rules, under the rule, even if they deal with procedure. BULGER, S. 1983, p. 1058.

See notes on "Committees" under "Sundry Rulings."

Rule 23. See notes to House Rule 47.

"*Unless received from the House of Representatives.*"A bill coming from the House must be entertained even though it is not germane to the petition upon which it is based. PINKERTON, S. 1893, p. 470.

See notes on "Courtesy between the Branches" under "Sundry Rulings."

See statement of DONAHUE on "Introduced on Leave", S. 1967, p. 623.

Rule 24. For cases in which an order has been held to be unparliamentary in form, see SPRAGUE, S. 1890, p. 189; PILLSBURY, S. 1886, p. 140.

An order fixing the daily hour of meeting is not subject to this rule. FURBUSH, S. 1955, p. 1398.

A motion to lay on the table is a renewable motion and once debate or new information has come to the attention of the Chair, the motion to lay on the table is a proper motion at that time. FOLEY (acting President), S. 1981, p. 487.

COURSE OF PROCEEDINGS.

Rule 27. It is the duty of the committee to which bills or resolves have been referred under this rule, to report only "on their relation to the finances of the Commonwealth" and they may not recommend the addition of new subject-matter. NICHOLSON (acting President), S. 1945, p. 1002; NICHOLSON, S. 1947, p. 1176; FURBUSH, S. 1955, p. 521; HOLMES (acting President), S. 1956, p. 1282. [See FURBUSH, S. 1951, p. 1554.]

The question being on ordering to a third reading or passing to be engrossed a bill involving the *expenditure* of public money, and a point of order being raised that the bill had not been referred to the committee on Ways and Means, it was so referred. SMITH, S. 1898, p. 759; DANA, S. 1906, p. 517; GREENWOOD, S. 1912, p. 1373; MCKNIGHT, S. 1919, p. 356; S. 1920, p. 376; MORAN, S. 1935, p. 644; RICHARDSON, S. 1948, p. 652; DOLAN, S. 1949, p. 1302; FURBUSH, S. 1952, p. 334; BULGER, S. 1983, p. 1072; S. 1987, p. 1014; S. 1990, p. 404; S. 1991, p. 304; S. 1992, p. 577.

On a bill to increase the maximum speed limit in the Commonwealth, a motion to refer the bill to the committee on Ways and Means after it had been amended was in order because the bill had been amended and the motion to refer is a renewable motion. BULGER, S. 1990, p. 453.

After a bill has been passed to be engrossed, however, it is too late to raise a point of order that it should have been referred, under this rule. FURBUSH, S. 1956, p. 538.

A point of order having been raised that a bill *indirectly* involving the expenditure of public money, having had its third reading, had not been referred to the committee on Ways and Means, it was so referred. BACON, S. 1932, p. 425.

The question being on adopting an order which authorized the expenditure of public money for a special committee, and a point of order being raised that the order should have been referred to the committee on Ways and Means, it was so referred. EVANS (acting President), S. 1951, p. 1591; FURBUSH, S. 1951, p. 1724.

A bill having been referred to the committee on Ways and Means under this rule and having been reported by said committee, it is too late to raise the point of order that the bill does not come under the requirements of the rule. NICHOLSON (acting President), S. 1946, p. 939.

For an opinion relative to the limitations of this rule and to the authority of the committee to report thereunder, see MCKNIGHT, S. 1920, p. 797.

It was held that the rule did not apply to a bill which provided for the *payment of money to the Commonwealth.* See WELLINGTON WELLS, S. 1925, p. 609.

A bill to extend the time for filing returns of taxable property by foreign corporations was held not to come within the scope of this rule. HENRY G. WELLS, S. 1918, p. 487.

Exempting from taxation a certain sort of income does not involve the expenditure of public money or a grant of public property, under this rule. ALLEN, S. 1921, p. 298.

It was held that a provision in a bill requiring the State Secretary to furnish cards at cost to registrars did not come under this rule. WRAGG, S. 1937, p. 748.

A bill to establish two districts for the administration of criminal law in place of one was ruled to come within the provisions of this rule and was referred to the committee on Counties on the part of the Senate. COTTON, S. 1939, p. 1178.

General bills involving the expenditure of city or town money do not come under this rule, but only bills affecting a particular city or town. HOLMES, S. 1957, p. 519.

Under this rule, committees may report adversely or may recommend an investigation of the subject-matter referred to them. ARTHUR W. COOLIDGE, S. 1945, pp. 1116, 1144, 1199; NICHOLSON, S. 1947, p. 1201; RICHARDSON, S. 1948, p. 693; HOLMES, S. 1957, p. 1296.

A resolve substituted for a bill which already had been considered by the committee on Ways and Means, was held to be a "different measure from that acted upon by the committee on Ways and Means; that it was a measure 'involving the expenditure of public money'; and that, under this rule, it should be referred to the committee on Ways and Means." WELLINGTON WELLS (acting President), S. 1923, p. 785.

A bill may be referred to the committee on Ways and Means, on motion, even though it does not appear to definitely involve the expenditure of public money. RICHARDSON, S. 1948, p. 988; DOLAN, S. 1949, p. 741.

For a case in which the committee on Ways and Means exceeded its authority in recommending certain amendments, see POWERS, S. 1963, p. 1818; BULGER, S. 1980, p. 982; S. 1982, p. 214; S. 1983, p. 1054.

That a bill increasing the minimum salary of public school teachers, which was amended to provide that the Commonwealth assume the cost of the increased minimum, was held to come under the provisions of this rule and was referred to the committee on Ways and Means. DONAHUE, S. 1967, p. 1016.

"Senate Rule 27 requires bills to be accompanied by a fiscal note when, in the opinion of the committee on Ways and Means, the cost would exceed the sum of one hundred thousand dollars. In the absence of a fiscal note, it appears that it is the judgment of the committee on Ways and Means that one is not required." BULGER, S. 1979, p. 1576; S. 1986, p. 263; S. 1989, p. 1747; S. 1990, p. 321. *Contra*, FOLEY (acting President), S. 1983, p. 252; BRENNAN (acting President), S. 1986, p. 185; BULGER, S. 1987, pp. 1472, 1709.

See also notes on House Rule 44.

Rule 27A. Senate Rule 27A does not require that the bill appear on the Calendar, only that it "be in print and available to the members of the Senate at least five days prior to the date specified for action." BRENNAN (acting President), S. 1986, p. 438.

Rule 28. The subsequent rejection of a bill substituted for a report of a committee recommending "no legislation" does not revive the question upon the adoption of the recommendation of the report. The requirement that every bill shall be read three times does not render the substitution liable to be nullified by the rejection of the bill at a subsequent stage. BISHOP, S. 1881, p. 212.

Rule 31. For a case in which a bill was held to have been substantially changed, see SMITH, S. 1900, p. 487.

[See Senate document numbered 1053 of 1963 for discussion of this rule.]

Rule 33. Notwithstanding this rule, a motion to instruct the committee to report on a bill forthwith is in order. For sundry other rulings in a case in which, such instructions having been given and not having been complied with, some of the members of the committee were held to be in contempt, see JONES, S. 1903, pp. 769, 771, 778.

It is within the authority of the committee to recommend the adoption of a new emergency preamble in place of the one in the bill. HOLMES (acting President), S. 1955, p. 1629.

It is not necessary for an amendment to be approved by the committee on Bills in the Third Reading as being correctly drawn prior to its consideration by the body; but that a bill, if so amended, would subsequently be referred, under the rule, to the committee for examination. BOVERINI (acting President), S. 1986, p. 1033.

For a case in which the committee on Bills in the Third Reading exceeded its authority, see ARTHUR W. COOLIDGE, S. 1946, p. 1014; BULGER, S. 1979, p. 1165.

ORDERS OF THE DAY.

See note to House Rule 61.

RULES OF DEBATE.

See notes upon this division of the House Rules.

See paper on retaining floor after adjournment due to lack of quorum, by Norman L. Pidgeon, Advisor to Senate, S. 1976, p. 1941.

Rule 39. A member by yielding the floor to another member cannot thus transfer to the latter the right to the floor. Such right can only be secured through compliance with the rule. CHAPPLE, S. 1908, p. 696.

In a case in which pursuant to a standing order, the Senate adjourned while a member was speaking, it was held that such member was not in consequence thereof entitled to the floor when the subject was again taken up. CHAPPLE, S. 1908, p. 1139.

It is not necessary for a member to be in his seat in order to raise objection to a request for unanimous consent. HOLMES (acting President), S. 1956, p. 349; BULGER, S. 1991, p. 1181.

Although this rule requires a member to address the President, under Senate Rule 40, if more than one member rises at the same time, the President has the authority to designate the one who is entitled to the floor, even though he has not verbally addressed the Chair. HOLMES (acting President), S. 1956, p. 1656.

Resolutions condemning a member by name for certain actions not taken, were ruled in violation of this rule. BULGER, S. 1981, p. 932.

It is *not* in order at *any* time during debate to impugn the motives of any member of the Senate. BULGER, S. 1981, p. 1224.

Rule 41. The principle of this rule, although exemplifying the principles of general parliamentary procedure, was held not to apply in debate prior to the organization of the Senate and the adoption of its rules for the current year. MORAN (acting President). S. 1935, p. 6.

MOTIONS.

See notes upon this division of the House Rules.

A motion in its nature trivial and absurd will not be entertained. SPRAGUE, S. 1890, p. 189; PILLSBURY, S. 1886, p. 140. See also NICHOLSON, S. 1947, p. 1108.

The Senate having passed a general order that the reading of the Journal should be dispensed with unless otherwise ordered, it was held that a senator could not require the reading of the Journal without a vote to that effect, and that a motion that the Journal be read was not a question of privilege. CROCKER, S. 1883, p. 290.

APPEALS. When Cushing was by rule the sole authority governing the Senate, it was held, in accordance with Cushing's Law, and Practice of Legislative Assemblies (Sect. 1467), that a question on an appeal could be laid on the table; and if such action was taken, the matter, whatever it was, which gave rise to the appeal, proceeded as if no appeal had been taken. CROCKER, S. 1883, pp. 288, 289. In the House it has been held that a motion to lay an appeal on the table is not in order. See MARDEN, H. 1883, p. 582. See also notes to House Rule 94.

It is to be noted that the Senate was required to follow Cushing's statement of Parliamentary Law, while the House, by its Rule 101, was simply required to conform to the rules of parliamentary practice.

In Crocker's Principles of Procedure it is held that an appeal cannot be laid upon the table separately from the proceedings out of which the point of order arose. Crocker's Principles of Procedure, Sect. 94.

Rule 44. A motion for a second legislative day does not have to be in writing. FURBUSH, S. 1956, p. 1227.

Rule 45. For an instance in which it was held that the adoption of an amendment inserting certain words precluded, except through reconsideration, striking out such words in part at the same stage of the bill, see SMITH, S. 1900, p. 530.

Rule 46. "*To adjourn.*" A motion to adjourn is in order at any time. ARTHUR W. COOLIDGE, S. 1945, p. 1238.

It was held that when, upon a motion to adjourn, the yeas and nays had begun before the time fixed for adjournment and had ended after that time, and the Senate had voted in the negative upon the motion, the refusal to adjourn had the effect of suspending the operation of the order relative to adjournment, and was equivalent to otherwise ordering. MORSE (acting President), S. 1896, p. 912.

A motion to adjourn having been lost, a second motion to adjourn was held not to be in order when the only intervening business had been the rejection of a motion to postpone further consideration of the pending bill. DANA, S. 1906, p. 496.

For a case in which it was ruled that a motion to take a recess was in order at any time. See WRAGG, S. 1938, p. 928.

A motion to take a recess having been made and action thereon having been delayed beyond the time proposed, the motion was laid aside. FURBUSH, S. 1952 (Extra Session), p. 18.

A motion to adjourn to the first day of the following legislative session was ruled out of order because when the legislature is duly convened it cannot be adjourned *sine die* or dissolved except in a manner prescribed by the Constitution. FONSECA (acting President), S. 1983, p. 1127.

See notes on House Rule 79.

"*Or some other motion which has precedence.*" Where the Senate assigned one matter for 2:30 P.M., and one matter for 3:00 P.M., it was held to be the duty of the presiding officer to call up the second assignment at 3:00 P.M., even though the consideration of the first assignment was not finished. PITMAN, S. 1869, p. 316.

See notes to House Rule 80.

"*To lay on the table.*" Pending the consideration of one of the Orders of the Day, a motion to lay the Orders of the Day on the table, is admissible. CROCKER, S. 1883, p. 287.

A motion to postpone laying the Orders on the table is inadmissible. CROCKER, S. 1883, p. 287.

A motion to lay a bill on the table is in order pending a motion to refer the bill to the next General Court. COTTON, S. 1939, p. 586.

When Cushing was the sole authority governing the Senate, it was held that, if a motion to reconsider is laid upon the table, or is postponed to a specified time, the pending bill does not go with it. See PINKERTON, S. 1893, p. 627. *Contra,* see Crocker's Principles of Procedure, Sect. 62, and appendix note thereto. See also Senate Rule 62.

For an instance where a motion to *take from the table* was made by a person not making the motion to lay the matter on the table, see S. 1970, pp. 1961, 2118.

"*To close debate at a specified time.*" See notes to Senate Rule 47 and House Rule 80.

After the time for closing debate has arrived, the taking of the question cannot be postponed by a motion to adjourn or to commit, or that the Journal be read, and these motions cannot then be entertained. CROCKER, S. 1883, pp. 288, 289.

If a motion to close debate in one hour is reconsidered, the question does not recur upon the original motion, because that motion, owing to the lapse of time, is out of order. The debate will proceed without limitation unless a new motion to close it is made. PILLSBURY, S. 1885, p. 589.

"*To postpone to a day certain.*" A motion to postpone to a certain day having been negatived, the Chair may entertain a motion to postpone to a different day. NICHOLSON (acting President), S. 1945, p. 1018.

"*To commit (or recommit).*" A motion to recommit, with instructions to report a bill broader in its scope than the measures upon which the bill is based, is out of order. PINKERTON, S. 1892, p. 266.

"*To Amend.*" For discussion of "motion to amend" see Senate document numbered 1535 of 1972, by Norman L. Pidgeon, Senate Clerk and Parliamentarian.

A substitute which, by Rule 28, must have three several readings on three successive days, can be amended in the second degree. H. H. COOLIDGE, S. 1870, p. 416.

A proposed substitute bill can be amended, and should be perfected, before the question is taken on substitution. NICHOLSON, S. 1947, p. 232; RICHARDSON, S. 1948, p. 724; KEVIN B. HARRINGTON (acting President), S. 1970, p. 1822; DONAHUE, S. 1970, p. 1846.

It is not out of order to substitute an entire bill for another entire bill. BRASTOW, S. 1868, p. 48. See also Senate Rule 28.

The substitution of a question on the rejection of an order for a question on the passage of the order is not a parliamentary substitution, because one is simply the negative of the other. CROCKER, S. 1883, pp. 575, 578.

If an amendment has been once rejected, the same or substantially the same amendment cannot again be moved at the same stage of the bill, but the rejection of the amendment may be reconsidered. HOWLAND (acting President), S. 1886, p. 611; BRADFORD (acting President), S. 1895, p. 715; GREENWOOD, S. 1912, p. 1553; CALVIN COOLIDGE, S. 1914, p. 930; GLOVSKY (acting President), S. 1956, p. 771; FURBUSH, S. 1956, p. 774.

If a new draft is substituted for a bill, it is not in order, at the same reading of the bill, to offer amendments which would convert the bill into a bill substantially the same as the bill for which the new draft was substituted. RICHARDSON, S. 1950, p. 1375; FURBUSH, S. 1951, p. 1353.

A motion is not in order to insert words previously stricken out by amendment or to strike out words previously inserted by amendment at the same stage of the bill. NICHOLSON, S. 1947, pp. 1159, 1197.

The substitution of a new draft for a bill is in effect striking out the entire text of the bill and inserting a new text. Inasmuch as words which are inserted by amendment cannot be stricken out in whole or in part, a substitute bill cannot be amended by striking out any of the words contained therein, unless the bill has been advanced to another reading. FURBUSH, S. 1951, pp. 1617, 1722.

An amendment adding a new section cannot be further amended at the same reading. HOLMES (acting President), S. 1955, pp. 944, 954.

See also an amendment embodying a rejected amendment cannot be entertained at the same stage. PINKERTON, S. 1893, p. 471; ROWE (acting President), S. 1947, p. 1179. As to whether an amendment is similar to one previously acted upon, see SOULE, S. 1901, p. 989; NICHOLSON, S. 1947, p. 1198.

An amendment which has been rejected at one stage of a bill can be offered again at a subsequent stage. JONES, S. 1903, p. 941; CHAPPLE, S. 1907, pp. 1004, 1095. So also action on an amendment at one stage of a bill can be reversed at a subsequent stage. ARTHUR W. COOLIDGE, S. 1946,

p. 744; HOLMES (acting President), S. 1946, p. 867; RICHARDSON, S. 1948, p. 900.

It is not within the province of the Chair to rule as to the form or effect of an amendment. RICHARDSON, S. 1950, p. 1563.

That amendments which go beyond the scope of a message from the Governor are not in order. DONAHUE, S. 1969, pp. 1847, 1957.

That an amendment to Senate Resolutions urging the retention of the United States District Attorney calling for state Constitutional officers to stop their delay in appointing an Inspector General was ruled out of order because a matter which had been finally rejected cannot be admitted under the color of an amendment. BULGER, S. 1981, p. 63.

That an amendment is not in order for the reason that it is not proper to provide that acts of the General Court become effective contingent upon other states adopting the same provisions.

[For procedure relating to certain amendments in the Senate, see Senate document numbered 1535 of 1972, by Norman L. Pidgeon, Senate Clerk and Parliamentarian.]

"*To refer to the next annual session.*" A motion to amend has precedence over this motion. NICHOLSON, S. 1947, p. 1198. [Motion to refer to next annual session repealed.]

This motion may be applied to an order for consideration in joint session of a proposal for an Amendment to the Constitution. FURBUSH, S. 1952, p. 761.

"*To rescind.*" — For discussion of "motion to rescind" — see Senate document numbered 1535 of 1972, by Norman L. Pidgeon, Senate Clerk and Parliamentarian.

See notes to Senate Rule 45 and House Rule 90.

Rule 47. A motion to close debate in one hour is in order although a standing order requires adjournment before the expiration of the hour, and, if the Senate adjourns before the time allowed for debate has elapsed, the bill when again considered is open for debate for such portion of the hour as had not elapsed at the time of adjournment. CROCKER, S. 1883, p. 286; CHAPPLE, S. 1908, p. 735.

A motion having been adopted to close debate on the main question in one hour, and that time having expired, debate is not permissible on any subsidiary question. FURBUSH, S. 1956, p. 1209.

Rule 49. An amendment to an engrossed bill is not in order unless this rule has been suspended. COTTON, S. 1939, p. 433.

Rule 50. According to Cushing's Manual, Sect. 402, amendments proposing subjects different from those under consideration would be in order if they were not excluded by special rule. *Contra*, see Crocker's Principles of Procedure, Sect. 44. See also BRASTOW, S. 1868, p. 51; KEVIN B. HARRINGTON (acting President), S. 1966, p. 394.

For sundry cases in which a point of order has been raised that a proposed amendment is not germane to the subject under consideration, see the indices to the Senate Journals under "Order, Questions of." A list of cases which arose prior to 1902 may be found in the Manual of the General Court for that year.

If a committee reports only in part, amendments must be germane to that portion of the subject which is reported on. CROCKER, S. 1883, p. 86.

Amendments are admissible if they are germane to any portion of the subject-matter which is the basis of a committee's report. SPRAGUE, S. 1891, p. 715. [See also SOULE, S. 1901, p. 1049.]

An amendment may be inadmissible on the ground that it introduces a subject different from that under consideration, although it would operate as a limitation on the terms of the bill. BUTLER, S. 1894, pp. 644, 656-658.

A proposal to ascertain the will of the people with reference to the subject-matter, and provide for a report to the General Court, upon which legislation could be based, must be held to be germane, even though not requested by the petitioners. WRAGG, S. 1937, p. 928. [See also CAHILL, H. 1938, p. 844.]

Inasmuch as a bill coming from the House must be entertained, even though it is not germane to the petition upon which it is based, it seems that in such cases amendments which are germane to the bill are admissible, although they may not be germane to the petition. PINKERTON, S. 1893, p. 493. See also notes to Senate Rule 23. This does not, however, give the second branch the right to exceed the provisions contained in the bill coming from the first branch.

An amendment which, if adopted, would render the bill inoperative, may nevertheless be germane. PINKERTON, S. 1893, p. 556.

Amendments changing a special act into a general law are admissible because, under Senate Rule 16, the committee could have reported a general law. PINKERTON, S. 1892, p. 707.

Also, amendments to a general bill which are special in nature are not in order. KEVIN B. HARRINGTON (acting President), S. 1966, p. 394.

That a special act cannot be reported upon, or substituted for an adverse report of a committee upon, a petition for general legislation is a well established principle of legislative procedure, not that the special act is beyond the scope of the petition, which upon the principle that the greater is inclusive of the lesser cannot be said to be true, but that in specializing the legislation prayed for and restricting its operation to particular individuals or corporations a different question is presented from that which extends its operation to individuals or corporations as a class. JONES, S. 1903, p. 491.

After an amendment has been adopted, the objection that the bill in its amended form is broader than the scope of the petition on which it is based, cannot be entertained. BUTLER, S. 1895, p. 473.

It is too late to raise the objection that an amendment is not germane if the amendment has been considered and voted on at a previous stage of the bill. LAWRENCE, S. 1897, p. 848; ARTHUR W. COOLIDGE *(in joint session)*, S. 1946, p. 995, and H. 1946, p. 1381.

That it is in order to eliminate exemptions from a tax bill just as it is in order to provide exemptions. KEVIN B. HARRINGTON (acting President), S. 1966, p. 396.

See S. J. 1973, January 8 and 9, for ruling on amendments to "Resolutions memorializing Congress."

See also notes to Senate Rule 16 and House Rule 90.

For cases where an amendment recommended by the Governor under Article LVI of the Amendments to the Constitution was ruled out of order as beyond the scope of the bill, see H. J. 1936, pp. 1573-1574; KEVIN B. HARRINGTON, S. 1974, p. 2006.

For a complete ruling on the matter of a Governor's right on proposed amendments, see B. LORING YOUNG, H. 1924, pp. 630-632.

Rule 51. Prior to the adoption of this rule it was held that the smallest sum and the longest time must be put first. COGSWELL, S. 1897, p. 376.

See notes to House Rule 91.

Rule 52. "*Not exceeding ten minutes shall be allowed for debate.*" Time consumed in taking the question on a motion to adjourn is not to be deducted from the ten minutes allowed for the debate. CROCKER, S. 1883, p. 288.

See notes to Senate Rule 46 and House Rules 79, 80.

RECONSIDERATION.

Rule 53. The right to move a reconsideration is not limited to those who voted with the majority on the motion which is to be reconsidered. DANA, S. 1906, p. 500.

President LORING (S. 1873, p. 299) went so far as to say that there is no reconsideration of votes to commit petitions, etc.; but it would seem that a better position to take would be that there can be no reconsideration after such petition, etc., has actually been handed over by the Clerk to the committee. See SMITH, S. 1900, p. 885.

The same would be true, *mutatis mutandis* with reference to enacted bills. In the case of the latter, a method usually adopted is to request the Governor to return the bill, and then reconsider its enactment. See note to Constitution, Chap. I., Sect. I., Art. II.

The chair, having asked if there was objection to proceeding to the Orders of the Day, and hearing no objection, had read the first number in the Calendar, and a point of order having been raised that it was too late to move reconsideration of a matter, ruled that no action had been taken on the Orders of the Day and that the motion to reconsider could be entertained. RICHARDSON, S. 1950, p. 1548.

A motion to reconsider a vote recalling a bill from the Governor is not in order after the bill has been taken from the Governor's office. FISH, S. 1934, p. 578. See Senate Rule 8 and notes thereto.

As to the effect of a reconsideration of a vote to close debate at a specified time, see PILLSBURY, S. 1885, p. 589.

Previous to the change made in 1902, in a case where a bill had been amended and rejected, and when reconsideration of the rejection had been moved within the time allowed, and the motion to reconsider postponed until another day and then carried, it was held that a motion to reconsider the adoption of the amendment was not then in order. SOULE, S. 1901, p. 969.

Previous also to the change made in 1902, when the rule provided for reconsideration only on "*the same day or before the Orders of the Days are taken upon the succeeding day,*" it was held that if on the day following that on which the vote was passed a quorum was not present, such day should not be counted as "the succeeding day." SOULE, S. 1901, p. 955.

A motion to reconsider a "*subsidiary, incidental or dependent question*" may be moved at any time when the main question to which it relates is under consideration. MORAN, S. 1935, p. 1206; GOODWIN, S. 1941, p. 1264. A motion to amend by substituting an entirely new bill is covered by these words. CHAPPLE, S. 1908, p. 697.

"*No reconsideration of the vote on the question of adjourning.*" Reconsideration of motions to adjourn, to lay on or take from the table and for the yeas and nays was held to be cut off by the rule as it stood in 1883. CROCKER, S. 1883, p. 287.

A motion to "Lay on the table" must be laid over until next session. See Senate Rule 24.

A vote to *lay a matter on the table* cannot be reconsidered. FURBUSH (acting President), S. 1950, p. 1272.

"*When a motion for reconsideration has been decided, that decision shall not be reconsidered.*" The fact that the question has been decided once in the affirmative and once in the negative makes no difference. See DANA, S. 1906, p. 500; MORAN, S. 1936, p. 1131; WRAGG, S. 1937, p. 789.

Although a motion to reconsider the rejection of a bill may have been entertained and carried at one reading of a bill, a motion to reconsider may be entertained at a subsequent stage of the same bill. NICHOLSON (acting President), S. 1945, p. 624.

In a case where the rejection of a bill has been reconsidered and the bill has been substantially amended and passed to be engrossed, a motion to reconsider engrossment may be entertained, as the second motion to reconsider presents a different question from the first. WRAGG, S. 1938, p. 608.

An election vote cannot be reconsidered. GOODWIN, S. 1941, p. 1579; FURBUSH, S. 1953, p. 499.

See notes to House Rules 70 and 71 and note to Constitution, ARTICLES OF AMENDMENT XLVIII, THE REFERENDUM II.

REJECTED MEASURES.

Rule 54. See notes to Senate Rule 46 under the heading "*To amend,*" and to House Rule 49.

The rule is an expression of a principle of parliamentary law. For a discussion of its origin and effect, see BISHOP, S. 1880, p. 243.

General parliamentary practice not only forbids the introduction of a proposition which is substantially the same as a proposition previously rejected, but also forbids the introduction of a proposition substantially the same as one already pending, or substantially the same as one previously adopted or passed. In legislative procedure a bill is not passed within the meaning of the foregoing general parliamentary rule until it has been passed to be enacted. SPRAGUE, S. 1891, p. 713. [See also NICHOLSON, S. 1947, p. 1047.]

"*Finally rejected.*" These words must be construed to refer either to a rejection by both Houses, or to such action of the Senate as amounts to a final rejection of the measure independently of any action of the House. PILLSBURY, S. 1885, p. 584. [See also BARRETT, H. 1889, p. 864.]

"When an order is rejected, or a petition excluded, or leave is refused to bring in a bill, or a bill or resolve is refused any one of its stages of advancement, it is 'finally rejected.'" COGSWELL, S. 1877, pp. 301, 306. Indefinite postponement is a final rejection. PINKERTON, S. 1892, p. 808. See S. 1961, pp. 984-987.

"The phrase 'when any measure has been finally rejected' must be construed to apply solely to such measures as the Senate has power finally to reject, and cannot of course apply to amendments which may be offered at any stage of a bill, even if rejected at a previous stage; nor has it ever been denied that an amendment rejected by the Senate may be adopted by the House and sent up for concurrence. A substitute is an amendment differing only in this, that it is capable of amendment in the second degree, and by rules of the Senate, but not of the House, requires three several readings. To propose a substitute is therefore only to propose an amendment, and it does not become a 'measure' until it is adopted. The rule, being made by the Senate, and applicable to the Senate alone, must mean that no senator shall introduce a second time a 'measure', that it, a bill or resolve, and some kinds of orders, which has been once and finally rejected by the Senate. Any other interpretation would put it in the power of a single senator to defeat any bill, which might be pending in either branch or in the committee, and to which he was opposed, by offering it as a substitute for any other bill which he had reason to believe the Senate was desirous of passing, and so compelling the Senate to choose between two bills, both of which it might be desirous of passing." H. H. COOLIDGE, S. 1870, p. 415. This ruling was made before the adoption of Senate Rule 50. See also SMITH, S. 1898, p. 730; SOULE, S. 1902, p. 755. [See, *contra,* PITMAN, S. 1869, p. 517.]

In conformity with the foregoing it was held that a bill passed in the branch in which it began might be sent from that branch to the other, and so introduced, although a similar bill was there pending, or had been passed or rejected. COGSWELL, S. 1877, pp. 301, 306. See also BISHOP, S. 1882, p. 307; LAWRENCE, S. 1896, p. 1036; SMITH, S. 1898, p. 981.

A House bill, practically identical with a previous bill which had been received from the House and rejected by the Senate, was admitted, in recognition of the practice of the Senate that courtesy to the coordinate branch usually requires the consideration of a bill so received. SOULE, S. 1901, p. 931.

So, also in the case when a report "inexpedient to legislate" had been adopted by the Senate, it was held that the Senate was still bound to entertain a House bill on the same subject, if the report had not been concurred in by the House. PILLSBURY, S. 1885, p. 585.

When the above decisions of Presidents COOLIDGE and COGSWELL were given, the words "by any committee or member" were not embodied in the rule, and the rule ended as follows: "and this rule shall apply as well to measures originating in the House as to those originating in the Senate." These words were left out in 1877.

The fact that a bill has been finally rejected in one branch does not prevent its introduction in the other. HARTWELL, S. 1889, p. 822. Nor would the fact that a measure is pending in one branch preclude its introduction in the other branch. GOODWIN (acting President), S. 1939, p. 1364.

If, however, a bill or measure has been once rejected by both branches, general parliamentary law as well as this rule would prevent any measure substantially the same from being again introduced into either branch at the same session; and the fact that one branch had passed such measure and forwarded it to the other would not justify its introduction in the latter branch. Thus, where a report of "leave to withdraw" had been accepted by both branches, it was held that a bill (reported by a committee *after* such concurrent action) that embodied a measure substantially the same as that contemplated in the petition must be laid aside, even though the bill came from the other branch. CHAPPLE, S. 1907, p. 426; BISHOP, S. 1880, p. 243. [See also PILLSBURY, S. 1885, p. 583.] But, an adverse report on a measure having been accepted by the House and subsequently accepted by the Senate, a bill from the House was entertained and the alleged similarity of the two measures held to be immaterial because the bill had been introduced in the House previously to the Senate's action on the other measure. WELLS, S. 1916, p. 605; S. 1918, p. 318; FISH, S. 1933, p. 967.

It seems that, notwithstanding this rule, an amendment of the Constitution can be introduced, although it is substantially the same as an amendment which came from the previous Legislature and which has been rejected. PHELPS, S. 1859, p. 325.

"*No measure substantially the same.*" A resolve providing only for biennial elections is not substantially the same as a resolve providing for biennial elections and biennial sessions of the Legislature. BRUCE, S. 1884, p. 581. [See also PILLSBURY, S. 1886, p. 635; SMITH, S. 1898, p. 893.]

For cases in which measures were ruled out under this provision, see HARTWELL, S. 1889, p. 804; BUTLER, S. 1894, p. 730; CHAPPLE, S. 1908, p. 945; CALVIN COOLIDGE, S. 1914, p. 710; S. 1915, p. 362; MORAN, S. 1935, p. 510; NICHOLSON (acting President), S. 1935, p. 739; S. 1936, p. 1045; COTTON, S. 1939, p. 553; HOLMES (acting President), S. 1948, p. 795; RICHARDSON, S. 1950, p. 1437; DONAHUE, S. 1964, p. 1479.

For cases in which measures were held not to be substantially the same, see BUTLER, S. 1894, p. 804; JONES, S. 1903, p. 875; CHAPPLE, S. 1908, p. 883; TREADWAY, S. 1911, p. 1542; ALLEN, S. 1922, pp. 738, 750; S. 1924, p. 413; WELLINGTON WELLS, S. 1925, p. 616; BACON, S. 1929, p. 613; FISH, S. 1933, p. 477; S. 1934, pp. 398, 548; MORAN, S. 1935, pp. 463, 667, 1164; S. 1936, p. 1011; COTTON, S. 1939, p. 554; ARTHUR W. COOLIDGE, S. 1946, p. 477; NICHOLSON, S. 1947, p. 300; NUCIFORO (acting President), S. 1971, p. 1367.

"*Shall be introduced.*" The rejection of a measure does not prevent the consideration of a measure substantially the same, if it was introduced previously to such rejection. BOARDMAN S. 1888, p. 485; PINKERTON, S. 1893, p. 897. But the fact that an order was presented and laid upon the table prior to the indefinite postponement of another order practically identical was held not to be an introduction within the meaning of this section. PINKERTON, S. 1892, p. 808.

A point of order having been raised that a Senate bill was substantially the same as a bill previously rejected by the Senate, the President refused to lay the bill aside on the ground that the Senate, having first rejected the later bill and then having reconsidered its rejection, had indicated its willingness to act upon it. DANA, S. 1906, p. 882.

In the case of a bill which had been read a third time, it was held that it was too late to raise the point of order that it was improperly before the Senate because substantially the same subject-matter had previously been adversely disposed of. COTTON, S. 1939, p. 875.

Offering of amendment to bill held NOT to be reintroduction of a rejected measure. DONAHUE (acting President), S. 1962, p. 1207. [See change in Senate Rule 54, S.J. January 16, 1971, which provides that a measure which has been rejected cannot be offered as an amendment to another measure.]

A point of order having been raised that the Senate Bill requiring persons doing certain electrical work to be licensed, was improperly before the Senate for the reason that an adverse report on the same subject-matter had previously been accepted by the Senate, the point of order was well taken and the bill was laid aside. DONAHUE, S. 1967, p. 804.

VOTING.

Rule 55. A vote of less than a quorum is not conclusive proof that a quorum is not present, and is valid, provided a quorum is in fact present. SANFORD, H. 1874, p. 564; PILLSBURY, S. 1885, p. 584; HARTWELL, S. 1889, p. 589; SPRAGUE, S. 1890, p. 905; CHAPPLE, S. 1908, p. 470. See also Crocker's Principles of Procedure, Sect. 114, and appendix note thereto.

When the presiding officer by count ascertained that a quorum was not present at the time of the taking of a vote, the vote was declared void. LAWRENCE, S. 1896, pp. 633, 745.

As to what constitutes a quorum of the Senate, see rulings on Amendment XXXIII of the Constitution and Op. Att. Gen., Vol. I., p. 36, House Doc. No. 38 (1892).

A motion that the Orders of the Day be laid on the table having been entertained by the presiding officer but not stated by him, it was held that it was not then too late to verify a vote taken just previously, as the member that requested the verification had risen for the purpose of making the request in due season. GALLOUPE (acting President), S. 1896, p. 823.

Rule 56. For a case in which it was held that a request for the yeas and nays was made too late, see SMITH, S. 1900, p. 660; OLSON (acting President), S. 1951, p. 1949.

The Senate having refused to direct that a certain vote be taken by yeas and nays, it was held that verification by yeas and nays was not in order. PRESCOTT (acting President), S. 1919, p. 869.

Pending the taking of the yeas and nays, a point of order will not be entertained. WRAGG, S. 1937, p. 896; S. 1938, p. 394.

Contra, a member having arisen to ask for a call of the yeas and nays to verify a vote, a point of order was raised that he had not verbally addressed the Chair (see Rule 39), and after a ruling of the Chair and yeas and nays taken on an appeal therefrom, another point of order having been raised that it was too late then to ask for a call of the yeas and nays on the main question, it was ruled that the yeas and nays could be taken if the required number joined in the call. INNES (acting President), S. 1956, p. 1656.

A member may announce a pair with an absent member regardless of the vote required to carry the question. COTTON, S. 1939, p. 749. See S.J. 1963, p. 740.

The announcement of a pair with an absent member, being made before the call of the roll had been begun, may be withdrawn, after the completion of the call of the roll and before the result is announced, without unanimous consent. POWERS, S. 1963, p. 740.

See S.J. May 16 and 23, 1973.

Rule 57. "*Unless excused before the vote is taken.*" After a *viva voce* vote has been taken, a request to be excused from voting cannot be entertained. PILLSBURY, S. 1885, p. 583.

"*And no member shall be permitted to vote after the decision is announced from the chair.*" If other business has intervened, a vote cannot be cast even if this rule is suspended. HARTWELL, S. 1889, p. 650.

A vote for election to an office cannot be changed after a ballot has been cast or the name of the person voted for has been announced. FURBUSH, S. 1953, p. 499.

PARLIAMENTARY PRACTICE.

Rule 62. See notes to House Rule 101.

Rule 63. A report of the committee on Rules may make recommendations to change the suspension of certain rules from a two-thirds vote to a majority vote. BULGER, S. 1982, p. 1152.

The committee on Rules has the authority and may recommend certain special rules for procedure on a bill of a specific subject matter even though that bill has not yet come before the body after being reported out of the committee on Ways and Means. BULGER, S. 1982, pp. 1152, 1153.

NOTES OF RULINGS.

ON THE

HOUSE RULES

[Rule number refers to the rule number beginning with the year 1979.
Number in brackets refers to the rule number prior to 1979.]

SPEAKER.

Rule 7. [7A.] It is not necessary that the Speaker should be in the chair in order to make an appointment under this rule. Such appointment can be made by a communication in writing. LOMASNEY (Chairman), H. 1912, pp. 1158, 1284.

Custom makes it unnecessary for the Chaplain to officiate more than once during a calendar day. MYERS, H. 1903, p. 1065; WILLIS, H. 1947, p. 1558.

Rule 6. [8.] This rule applies only to a vacancy in the office of Speaker occurring after the permanent organization of the House. EAMES (Chairman), H. 1911, p. 4.

Rule 12. [13.] Custom makes it unnecessary for Clerk to have printed a Calendar of matters in the Orders of the Day when a second legislative day has been ordered. O'NEILL, H. 1949, p. 954.

It is not necessary for the Clerk to print on the Calendar a veto of part of the General Appropriation Bill. FLAHERTY, H. 1995, pp. 783, 1322.

MEMBERS.

For a discussion of methods of procedure in connection with the resignation of a member, see HULL, H. 1928, p. 601.

If objection is made, it is not the privilege of any individual member to have an amendment which is printed in the calendar read by the Clerk. MEYER, H. 1895, p.1211.

If the report of a committee that Mr. A., a sitting member, is not entitled to a seat, has been accepted, it is out of order for Mr. A. to take part in the proceedings, although a motion to reconsider the acceptance of the report is pending. PHELPS, H. 1856, p. 493.

Rule 15. [17.] *"No member shall absent himself from the House without leave."* The phrase "the House" refers to the Representatives' Chamber alone. SANFORD, H. 1874, p. 313.

The presence of a quorum is not necessary to excuse a member from attending. BARRETT, H. 1890, p. 774.

For a discussion of the power of the Speaker to order the doors closed when he believes a quorum is endangered or during a recess of the House, see WILLIS, H. 1946, p. 1508.

A point of order that the action of the Speaker in keeping doors closed during a previous recess cannot be entertained after the recess has come to an end for the reason that the question had not been seasonably raised. O'NEILL, H. 1949, p.1435.

COMMITTEES.

Rule 17. [20.] For sundry rulings as to reports of committees, see notes on the Joint Rules, under the head of "Committees."

"A committee on Ways and Means." Notwithstanding a previous investigation and report by the committee on Claims, or other committee, it seems that this committee has power to examine every matter before it as a new question, and decide for or against it, on its merits. JEWELL, H. 1870, p. 454. But see notes to House Rules 30 and 33.

That a motion directing the committee on Rules to fill the vacancy in the office of Counsel was properly before the House for the reason that the adoption thereof would not amend the statute relating to such office. WILLIS, H. 1948, p. 977.

Rule 17A. A point of order that a bill was improperly before the House for the reason that the committee on Ways and Means did not maintain accurate records of proceedings was held not to be well taken. KEVERIAN, H. 1985, p. 487.

Rule 17B. A point of order that a bill was improperly before the House for the reason that report did not contain the signatures of members of committee on prevailing side was held not to be well taken. KEVERIAN, H. 1985, p. 130.

Rule 19. [24.] A point of order that a bill was improperly before the House for the reason that two of the members of the committee reporting it were ineligible under this rule was held not to be well taken. MYERS, H. 1900, p. 1431. A point of order of this nature should be raised before prolonged discussion. Hull. H. 1928, p. 587.

In the case of a creditor or stockholder of the Eastern Railroad, it was held that he could vote on the bill "for the relief of the Eastern Railroad Company and the securing of its debts and liabilities," inasmuch as such creditor's or stockholder's interest was not "distinct from the public interest, but was inseparably mixed with it." LONG, H. 1876, p. 181, and cases there cited. See also WINTHROP, H. 1838, pp. 202, 212.

A director of a bank which has petitioned for an increase of capital was held not to be excluded by interest from voting on a motion to instruct the committee on Banks and Banking to report leave to withdraw on all petitions by banks for an increase of capital. BLISS, H. 1853, p. 605. See also WINTHROP, H. 1838, pp. 77, 78, 79; WINTHROP, H. 1840, p. 207. (The latter ruling, which is in MS., may be found in print in the Addresses and Speeches of Robert C. Winthrop, Little, Brown & Co., 1852, p. 272.)

In the case of a bill "to equalize the bounties of our soldiers," which provided for paying certain sums of money to a particular class of persons described in the bill, it was held that a member who, under the provisions of the bill, would be entitled to $200, had such an interest as would deprive him of the right to vote. STONE, H. 1866, p. 364. See also cases there cited.

A member is not debarred from voting on account of private interest unless that interest is shown to be immediate, direct and unmistakably in conflict with the interest of the general public. YOUNG, H. 1921, p. 844; O'NEILL, H. 1950, p. 1578; MCGEE, H. 1977, p. 1204.

A member on the payroll of the city of Boston is not debarred from voting on the adoption of an order providing for the appointment of a joint special committee to investigate the finances of said city, because of a private interest in conflict with the interest of the general public. VALENTINE (acting Speaker), H. 1945, p. 1586.

That members of the House who are attorneys-at-law are not debarred from voting under the provisions of this rule on a bill providing for a reorganization of the district courts. GIBBONS, H. 1953, p. 1972; KEVERIAN (acting Speaker), H. 1977, p. 2398; MCGEE, H. 1977, p. 2398.

The proper time to raise a point of order questioning the right of a member to vote on account of interest is after the roll has been called and the member's vote recorded. BARRETT, H. 1892, p. 1125; HULL, H. 1928, p. 588; SALTONSTALL, H. 1934, p. 1357; WILLIS, H. 1948, p. 1437.

For other cases relating to this rule, see BANKS, H. 1852, p. 225; ASHMUN, H. 1841, p. 387.

[This rule was combined with House Rule 24 on March 15, 1977.]

Rule 20. [25.] See note to Rule 17.

It is in order for the committee on Ways and Means to include in a general appropriation bill an item of expenditure which, although not based upon any existing statute, is, however, based upon the budget recommendations of the Governor to the General Court, in accordance with the provisions of Article LXII of the Amendments to the Constitution. YOUNG, H. 1921, p. 425.

Said committee does not exceed its authority in "reserving specific amounts for certain purposes and otherwise limiting the discretion of the Governor and Council" (in appropriation bills), for the reason that "the House has a right in granting legislation to impose such provisos, conditions and limitations as to it may seem fit." SALTONSTALL, H. 1936, pp. 886, 926.

The committee does not have authority to insert in an appropriation bill a section providing for the discontinuance of a work which an existing statute (St. 1899, c. 477) orders to be continued, thus in effect repealing the statute. MYERS, H. 1903, p. 328. [For various rulings in respect to amendments of appropriation bills, see Notes of Rulings on the Constitution, Articles of Amendment, LXIII.]

An amendment of a supplementary appropriation bill must be entertained, even though the identical amendment was presented and rejected when the general appropriation bill was under consideration. SALTONSTALL, H. 1936, p. 1599.

The General Court must, when it passes a special appropriation bill, provide the means for defraying the new appropriation. YOUNG, H. 1922, p. 683.

See LONG, H. 1878, p. 347.

Said committee has not violated the provisions of this rule which requires it to report "the total amount appropriated" when reporting a supplementary appropriation bill for the reason that the section authorizing the transfer of monies from one state fund to another is not an appropriation within the meaning of the rule because such transfer does not in any way change the total funds belonging to the Commonwealth. GIBBONS, H. 1953, p. 1407.

Rule 20A, as revised (see HJ 186). That further amendments relative to providing for a new local aid distribution formula in the General Appropriation Bill for fiscal year 2002, to consolidated amendments (offered by the Chairman of the committee on Ways and Means, under revised House Rule 20A), were not in the third degree, but are allowed as second degree amendments, since consolidated amendments simply take the place of amendments in a category; and that consolidated amendments are merely revisions and are therefore considered amendments in the first degree. FINNERAN, H. 2001, p. 358

A point of order that certain amendments pertaining to local aid offered to section 2 of the General Appropriation Bill had been improperly laid aside pursuant to an order previously adopted by the House (see House, No. 3999 of 2007) prohibiting amendments to section 3 of the bill (local aid), was *not* well taken, since such amendments would have had to be considered *notwithstanding* the provisions of section 3 of the bill, PETROLATI (Speaker *Pro Tempore*), H. 2007, p. 214.

Rule 22. [26.] It was held to be within the powers of the committee on Bills in the Third Reading to recommend an amendment containing provisions not found in a bill referred to said committee. KNEELAND (acting Speaker), H. 1919, p. 1002.

That the committee on Bills in the Third Reading had exceeded its powers in materially changing the provisions of a bill without reporting such changes to the House as an amendment. This point of order was sustained even though it was raised after the bill had several readings in the Senate in its changed form. SKERRY, H. 1957, p. 1938.

It is within the province of the committee on Bills in the Third Reading to report that a bill ought not to pass. BARRETT, H. 1890, pp. 862, 864.

That the committee on Bills in the Third Reading may recommend an amendment reinserting in a bill a provision which at a previous reading had been stricken out by the House. SKERRY, H. 1956, p. 2027.

When, the main question having been ordered, a bill is amended and referred, under Rule 50, to the committee on Bills in the Third Reading, debate may not be reopened when the bill again comes before the House. SALTONSTALL, H. 1934, p. 888.

A bill having been substituted for another bill, in the engrossment stage, and prolonged debate having ensued on the question on passing the substituted bill to be engrossed, it was held to be too late to raise the point of order that the substituted bill should have been referred to the committee on Bills in the Third Reading. CAHILL (acting Speaker), H. 1935, p. 1382.

On a motion to discharge all bills from the committee on Bills in the Third Reading, see BARTLEY, H. 1974, p. 2538.

A motion directing the committee on Bills in the Third Reading to report a bill could only be entertained by unanimous consent. MCGEE, H. 1976, p. 2172.

That the committee on Bills in the Third Reading had exceeded its authority in recommending amendments. KEVERIAN, 1985, p. 650.

[On March 15, 1977, the then House Rule 50 was consolidated with the then House Rule 26 and taken out of the unanimous consent category.]

Rule 24. [28.] On a motion to suspend paragraph two of this rule, it is beyond the province of the Speaker to rule on the question of the Mystic River Bridge Authority being a public agency or a private organization. MURPHY (acting Speaker), H. 1950, p. 656.

On a motion to suspend paragraph two of this rule in order to adopt an order directing the committee on Ways and Means to report a certain matter forthwith would require the unanimous consent of the members of the House for the reason that Rule 28 requires such orders to lay over for seven days before being considered. MCGEE, H. 1980, p. 1035.

Rule 26. [30.] A bill is special or general as it applies to one or all of the individuals of a given class. BATES, H. 1897, p. 182. See HULL, H. 1926, p. 668. See also notes to Senate Rule 16.

After a bill has been ordered to a third reading it is too late to raise the point of order that the bill is in violation of this rule. COX, H. 1915, p. 1158; CUSHING, H. 1914, p. 1466; BARRETT, H. 1892, p. 698; MURPHY (acting Speaker), H. 1949, p. 1387. See also MEYER, H. 1894. p. 350.

"Can be secured ... under existing laws." It is the province of the committee, not of the Speaker, to determine whether the object of an application can be secured under existing laws. MEYER, H. 1894, pp. 350, 485; BARRETT, H. 1892, p. 1160; MYERS, H. 1901, p. 1048.

Pending the point of order that the object desired by a bill could be secured by existing law, a motion to recommit was entertained. NOYES, H. 1887, p. 808.

Amendments extending the provisions of a private or special bill so as to make it general are admissible if the committee might have reported such a general bill on the order referred to it. YOUNG, H. 1923, p. 772; FROTHINGHAM, H. 1904, p. 628; MARDEN, H. 1883, p. 630; MELLEN (acting Speaker), H. 1893, p. 660; MEYER, H. 1894, p. 1146; MYERS, H. 1903, p. 1383; CUSHING, H. 1914, p. 1843; YOUNG, H. 1921, p. 488; SALTONSTALL, H. 1930, pp. 428, 889; H. 1931, p. 1057; H. 1932, p. 855; BARTLEY, H. 1969, p. 1788; MCGEE (acting Speaker), H. 1974, p. 2180; MCGEE, H. 1976, p. 1977. See Senate Rule 16 and Joint Rule 7.

An amendment approving a certain contract by the town of Saugus was improperly before the House for it would change the character of a general bill to a special. KEVERIAN (acting Speaker), H. 1983, p. 1514.

An amendment including town clerks in a bill relating to city clerks is permissible, on the ground "that many references in the General Laws to city clerks are applicable also to town clerks." CAHILL, H. 1938, p. 958.

Resolutions general in their scope may be moved as a substitute for resolutions special in character. BARRETT, H. 1890, p. 866; H. 1891, p. 60.

If the subject-matter referred to a committee is general in its character, it is not in order to propose amendments changing the bill reported thereon from a general law to a special act. MARDEN, H. 1884, p. 450; NOYES, H. 1887, pp. 700, 785; H. 1888, p. 600; MEYER, H. 1895, pp. 826, 1071, 1132; BATES, H. 1897, pp. 875, 968; H. 1898, p. 674; H. 1899, p. 332; COX, H. 1915, p. 835; H. 1917, p. 738; O'NEILL, H. 1950, p. 1324; SKERRY, H. 1955. p. 813; QUINN, H. 1968, p. 2240; BARTLEY, H. 1969, p. 2102; H. 1970, p. 2017; H. 1971, p. 1893. See also notes to Senate Rule 50.

An amendment to a general bill which would eliminate the city of Boston from the provisions thereof was held germane. WILLIS (acting Speaker), H. 1943, p. 550. [See HULL, H. 1926, p. 668 and also ruling under notes to Senate Rule 16.] *Contra,* MCGEE, H. 1977, p. 2180.

An amendment excluding the city of Newton from the provisions of a general bill was not germane for the reason it would change a general bill to a special one. TYLER (acting Speaker), H. 1953, p. 1188.

That an amendment giving a veto power to certain cities and towns over the expenditure of funds for highway projects was not germane to a bill giving such power to all cities and towns for the reason it would change a general bill to a special one. THOMPSON, H. 1963, pp. 2288, 2289; BARTLEY, H. 1971, p. 1893.

That an amendment including towns to a Bill relating to providing minimum pay for police officers in certain cities was germane for the reason that it would, if adopted, make the proposed law state-wide in its application. TYLER (acting Speaker), H. 1953, p. 1188.

As to the rule of parliamentary procedure prohibiting special bills on petitions for general legislation, see ALLEN, S. 1924, p. 762; SALTONSTALL, H. 1931, p. 910.

"Or without detriment to the public interests by a general law." Prior to the adoption of this rule a committee could not change a special to a general bill. SANFORD, H. 1874, p. 502. Nor could the Legislature change a private or special bill by amendment into a general law. SANFORD, H. 1874, pp. 217, 513; LONG, H. 1878, pp. 117, 361. See also NOYES, H. 1888, p. 600.

On a petition for general legislation it is not permissible to report a special bill. FROTHINGHAM, H. 1905, p. 272.

Rule 28. That an order directing the committee on Ways and Means to report a certain matter forthwith would require the unanimous consent of the members present for the reason that this rule requires such orders to lay over for seven days before being considered. McGEE, H. 1980, p. 1035.

REGULAR COURSE OF PROCEEDINGS.

It is the custom of the House to have the Chaplain officiate but once during a calendar day. MYERS, H. 1903, p. 1065; WILLIS, H. 1947, p. 1558.

Rule 29. [37.] After a petition has been presented in accordance with the rules, and the question on its reference has been stated, it is then too late to call for a vote on its reception. HALE, H. 1859, p 64.

Rule 30. [40.] *"All motions contemplating legislation."* This rule does not prevent the introduction of orders of inquiry or investigation, but does take away the power of committees making investigations under such orders to report bills. The rule does not prevent suggestions of legislation. BATES, H. 1898, p. 456.

An order may not be the medium of effecting legislation. LONG, H. 1878, pp. 58-61; SALTONSTALL, H. 1930, p. 229; BARTLEY, H. 1969, p. 1217; H. 1971, p. 755 [See Mass. Const., Pt. the 2nd, Ch. I, the Legislative Power, Art. II.]

An order directing that a department of a city be transferred to and placed under the control of a state commission was laid aside on the ground that the result proposed could only be accomplished by legislation. WARNER, H. 1919, p. 1365.

"Founded upon Petition." A Senate order was improperly before the House for the reason that it directed a department head to participate in an investigation which would, if adopted, result in effecting legislation through the medium of an order. SKERRY, H. 1955, p. 1752. The loss of a petition, which the records show to have been duly presented, does not bar procedure thereunder. WALKER, H. 1909, p. 847.

A bill passed by the House was laid aside in the Senate on a point of order that it was not founded upon petition, as it purported to be, the Senate never having concurred in the reference of the petition to the committee which reported it. WELLS, S. 1927, p. 530 (see H. 1927, p. 734).

A bill will be laid aside if found to be broader in scope than the petition (or other subject matter) on which it was presented. SALTONSTALL, H. 1930, pp. 387, 691; H. 1931, p. 568; H. 1933, pp. 847, 1408; WILLIS, H. 1947, p. 1601; H. 1948, p. 917; BATAL (acting Speaker), H. 1950, p. 1866.

A bill authorizing the sale of soda water was held to be germane to a petition for legislation to authorize the sale of "soda" on the Lord's Day, on the ground that "soda" was the colloquial phrase for soda water, and was the term most often used. MYERS, H. 1902, pp. 917 and 920.

A bill providing for punishment of murder in the first degree by imprisonment for life was held not to be germane to petitions asking for "the abolition of capital punishment." CAHILL (acting Speaker), H. 1935, p. 1271.

For an instance when a bill was considered (in the interest of "justice, fair play and orderly procedure"), even though broader than the scope of the petition on which it was founded, see CAHILL (acting Speaker), H. 1935, p. 1384.

A petition which used the language "for the passage of the accompanying bill or resolve, and or for legislation" contained in the printed blank incorporates, by reference, the provisions of the accompanying bill. KING, H. 1943, pp. 951 and 965.

"The committee on Ways and Means may originate and report appropriation bills." See notes to Rule 20.

That an appropriation bill was within the scope of a message from the Governor and there have been no violations of the Constitution, or statutes by the committee reporting the bill. GIBBONS, H. 1953, p. 1406.

"Unless otherwise ordered." In announcing that a message from the Governor would be placed on file, the Speaker is acting for and with the consent of the House, and his action becomes the action of the House if not disputed; and reference of the message to a committee is not required by this rule if the House thus otherwise orders. SALTONSTALL, H. 1936, p. 1473.

The Governor's budget recommendations cannot be "otherwise" disposed of, because of this rule, than by reference to the committee on Ways and Means under Rule 25, CAHILL, H. 1938, p. 246; DAVOREN, H. 1967, p. 806.

As to the right to require the submission of facts and information as aids to legislation (without requesting recommendations), see 14 Gray 239; Attorney-General *v.* Brissenden, April 15, 1930.

That reference of the Governor's budget message to the House committee on Ways and Means is a proper disposition of the subject matter thereof even though a portion of said message deals with the subject of taxation for the reason that there is no provision in the rules that makes mandatory the reference of taxation matters to the committee on Taxation. O'NEILL, H. 1951, p. 364.

That an "Order relative to requesting the police commissioner of the city of Boston to re-establish the so-called communist squad for the purpose of acquiring new evidence" was improperly before the House under

Rule 30 as it was a motion contemplating legislation and as such should be "based upon a petition, a bill or a resolve." NATHANSON (acting Speaker), H. 1951, p. 2097.

Objection that a bill covers matter not referred to the committee cannot be raised after extended debate on the bill and amendments thereto have been acted upon and rejected. O'NEILL, H. 1952, p. 895. [Also see Sundry Rulings.]

An amendment originating new legislation was an improper amendment to an appropriation bill. BARTLEY, H. 1974, pp. 1218, 1219, 2032; McGee, H. 1976, pp. 1569, 1975.

Rule 31. [42.] *"No repealed law and no part of any repealed law, shall be re-enacted by reference merely."* HULL, H. 1926, p. 387.

Rule 32. [43.] When the question, "Shall this bill be rejected?" is pending, a motion to amend the bill is not in order (PHELPS, H. 1856, p. 323), but it is in order to move the previous question. PHELPS, H. 1856, p. 332.

Rule 33. [44.] As to the power of the committee on Ways and Means to examine a matter as a new question, see note to Rule 17.

A bill which would operate to deprive the Commonwealth of money to which it would otherwise be entitled, comes under the provisions of this rule. WALKER, H. 1909, p. 1020; COX (acting Speaker), H. 1912, p. 1467; COX, H. 1915, p. 1172; H. 1917, p. 533; HULL, H. 1928, p. 887.

For instances in which bills were held to come within the provisions of this rule, see YOUNG, H. 1922, pp. 508, 519; JEWETT (acting Speaker), H. 1921, p. 524; YOUNG, H. 1921, p. 919; HULL, H. 1927, p. 516; SALTONSTALL, H. 1934, p. 777; CAHILL, H. 1938, pp. 845, 912, 1170.

For instances in which bills were held not to come within the provisions of this rule, see WALKER, H. 1910, p. 940; SALTONSTALL, H. 1934, p. 580.

A bill will be referred by the Speaker, under this rule, to the committee on Ways and Means, even though the fact that it involves expenditure of public money is not discovered, or brought to his attention by point of order or otherwise, until the question on its engrossment is pending. WARNER, H. 1919, pp. 644, 754; H. 1920, p. 1099; COX, H. 1916, pp. 454, 598; H. 1917, p. 684; CUSHING, H. 1913, pp. 1087, 1960; H. 1914, pp. 875, 893, 1067, 1318, 1373, 1467, 1516; COLE, H. 1907, p. 914; MYERS, H. 1900, pp. 640, 1303; BATES, H. 1899, p. 516; WHIPPLE (acting Speaker), H. 1899, p. 728; BRACKETT, H. 1885, pp. 709, 732; BARRETT, H. 1889, p. 795; H. 1892, pp. 330, 824, 1168; BATES, H. 1898, p. 742; HULL, H. 1926, pp. 417, 525; SALTONSTALL, H. 1930, pp. 397, 681; HERTER, H. 1939, p. 1149. See also BATES, H. 1899, pp. 619, 635; MEYER, H. 1894, pp. 756, 977.

For an instance in which this rule applies to county expenditures and to reference of a bill to the committee on Counties on the part of the House, see YOUNG, H. 1924, pp. 260 and 265.

A bill to provide for the widening and construction of Cambridge and Court streets, in the city of Boston, was held to come within the scope of this rule. YOUNG, H. 1923, pp. 750, 760.

A bill providing for an expenditure by the Board of Railroad Commissioners was referred under the rule, although provision is made by law for repayment to the State of all sums expended by or for said board. MYERS, H. 1902, pp. 936, 943. See YOUNG, H. 921, p. 729.

The committee on Ways and Means may recommend rejection of a bill which would bring money into the treasury of the Commonwealth. SALTONSTALL, H. 1933, pp. 967, 1409.

This rule applies to resolves providing for special investigations, notwithstanding "budget" recommendations. SALTONSTALL, H. 1930, p. 239.

That the language in this rule which relates to municipal expenditures requires that only bills which involve substantial expenditures of city or town money shall be referred to the committee on Municipal Finance on the part of the House. VALENTINE (acting Speaker), H. 1946, p. 1127.

A resolve providing for an extension of time within which suit should be brought under an act previously passed upon by the committee on Ways and Means was held not to come within the scope of this rule. MYERS, H. 1902, pp. 572, 971.

That resolves which affect state finances should be referred to the committee on Ways and Means. MCGEE, H. 1980, p. 1034.

The operation of this rule cannot be reconsidered. SMITH, S. 1900, p. 885; P. MURPHY (acting Speaker), H. 1969, p. 2188. But the announcement of the reference to a committee of a substituted bill does not preclude verification of the vote, provided the bill is in the possession of the Clerk. SALTONSTALL, H. 1931, p. 869.

When the committee, making no recommendations, had been discharged from the further consideration of a bill, it was held that the rule did not require further committal for definite report. COX, H. 1915, p. 1216.

"New provisions shall not be added to such bills by the committee on Ways and Means unless," etc.

For an instance in which it was ruled that the committee on Ways and Means had exceeded its authority, see McKNIGHT, S. 1920, p. 797; O'NEILL, H. 1950, p. 1607; SKERRY, H. 1955, p. 2397.

For an instance in which it was ruled that the committee on Ways and Means had not exceeded its authority, see BARTLEY, H. 1969, p. 715.

That the provisions of this rule which provides that "new provisions shall not be added to such bills by the committee on Ways and Means, unless directly connected with the financial features thereof" do not bar said committee from recommending amendments in the same manner that individuals may move amendments, so long as they are germane to the subject matter under consideration. YOUNG, H. 1921, pp. 889, 890; THOMPSON, H. 1963, p. 2694.

Also see COX, H. 1917, p. 810; CUSHING, H. 1913, pp. 1398, 1404; MYER, H. 1894, pp. 1197, 1219. See YOUNG, H. 1921, p. 425; HULL, H. 1926, p. 862.

After the House has ordered to a third reading a new draft of a bill recommended by the committee on Ways and Means, it is too late to raise the point of order that said committee had exceeded its powers in reporting to the House a new draft under this rule. WILLIS, H. 1946, p. 1199.

After the House has substituted a new draft of a bill recommended by the committee on Ways and Means, it is too late to raise the point of order that said committee had exceeded its powers in reporting to the House a new draft. DAVOREN, H. 1967, p. 2521.

That the committee on Ways and Means was not exceeding its authority in substituting a bill for a Senate order providing for a study of several unrelated matters for the reason that such action is not introducing "new provisions" not connected with the financial features thereof because the order was based, in part, on the pending bill. O'NEILL, H. 1951, p. 1827.

A bill should be referred to the committee on Ways and Means when there is any doubt that it affects the state finances for a determination by that committee as to whether or not state finances were involved. P. MURPHY (acting Speaker), H. 1969, p. 2188.

That the committee on Ways and Means had failed to attach a fiscal note. BARTLEY, H. 1971, p. 2303; McGEE (acting Speaker), H. 1974, p. 2222; BARTLEY, H. 1974, p. 2537; H. 1975, p. 2122; McGEE, H. 1977, p. 1977; KEVERIAN, H. 1985, p. 487; GIBSON (acting Speaker), H. 1986, p. 171; CORREIA (acting Speaker), H. 1986, p. 266; KEVERIAN, H. 1987, pp. 1652 and 1653; HARKINS (acting Speaker), H. 2005, p. 379.

That a Legislative Substitute for an Initiative Petition should have been referred, under this rule, to the committee on Ways and Means, McGee, H. 1976, p. 1668.

That a further amendment to a Bill relative to the tax laws of the Commonwealth, was properly before the House, in answer to a point of order that the amendment did not contain a fiscal note [since amendments do not require a fiscal note], HARKINS, (acting Speaker), H. 2005, p.382.

Rule 33A. That a bill was improperly before the House for the reason that copies were not available for twenty-four hours. Murphy (acting Speaker), H. 1983, pp. 1778, 1779.

That amendments were not being considered chronologically as submitted to the Clerk. Bosley (acting Speaker), H. 1996, p. 1805.

Rule 36. [47.] See notes to Rule 30.

As to whether it is proper under this rule to move to take from the files of last year a bill (which was then referred to the next General Court), and move its reference to a committee, without getting leave to introduce it, see Long, H. 1877, p. 466 and Osgood, appellant, p. 469.

After a bill has been laid aside as broader than the scope of the petition, the petition may be recommitted but it is not in order to move to substitute another bill for the petition. Saltonstall, H. 1930, p. 691.

"Unless received from the Senate." See note to Senate Rule 23.

"Moved as an amendment to the report of a committee." After a bill has been substituted for the report of a committee, it is too late to raise the point of order that the bill is broader in its scope than the subject matter referred to the committee. Noyes, H. 1888, p. 463; Hull, H. 1927, p. 552.

Rule 37. [48.] Full reading may be requested of a bill not printed in amended form, if request is made at any time before the Clerk begins the calling of the roll. Jewett (acting Speaker), H. 1933, p. 973. [Also see H. 1895, p. 1211.]

That a request for the full reading of a resolve must be made seasonably. Artesani (acting Speaker), H. 1958, p. 1408.

Rule 38. [49.] See notes to Senate Rule 54. See also "Courtesy between the Branches," under "Sundry Rulings," at the end of the notes on the Joint Rules.

"Finally rejected or disposed of by the House." The words "by the House" were added in 1890, following a ruling [that the House could send to the Senate two or more similar bills] by Speaker Barrett, H. 1889, p. 864. [For a statement of the general parliamentary practice

which differs from the position taken by Speaker BARRETT, see notes to Senate Rule 54.]

"A measure is rejected when the House refuses to allow it to take any of those steps necessary to its ultimate success." COGSWELL, S. 1877, pp. 305, 306. But "rejected" does not apply to a bill laid aside on a point of order. MEYER, H. 1894, p. 1219.

The words "or disposed of" were inserted in 1920.

An amendment in the form of a substitute bill is not to be debarred when an identical bill has been reported and is pending before the committee on Ways and Means, for pendency of a bill before a committee does not constitute final disposition. SALTONSTALL, H. 1936, p. 671. Also see KING (acting Speaker), H. 1941, p. 1915.

[Previous to the amendment of this rule adopted in 1920, it was held that a bill passed to be engrossed by the House but rejected by the Senate, is not by this rule barred from being again introduced in the House. MYERS, H. 1900, p. 1151. Also see CUSHING, H. 1913, p. 1908.]

The rejection of a bill providing for permanent clerical assistance does not exclude the subsequent introduction of a resolve providing for temporary clerical assistance. ADAMS (acting Speaker), H. 1900, p. 325. See also CUSHING, H. 1914, p. 1207.

It is not in order to move as an amendment a bill the same as one which has been passed by the House and then refused passage over to veto. MARDEN, H. 1883, p. 819. [Distinction should be made between a rejected *bill,* which had been reported by committee or substituted by the House, and a rejected *amendment* in the form of a proposed substitute bill. The latter, because of its rejection, never acquired standing as a bill, and would not come under this rule.]

After a bill "making appropriations for expenses of various charitable and reformatory institutions" was rejected, it was held that one of the sections of that bill could be introduced without violating this rule. MARDEN, H. 1883, p. 569. See also MEYER, H. 1894, p. 1226.

The final disposition of a bill accompanying an initiative petition does not prevent consideration by the House of a bill based upon a petition even though such measure is substantially the same. WINSLOW (acting Speaker), H. 1948, p. 1671.

Under this rule it was held that a bill from the Senate must be laid aside when the course of proceedings had been as follows: The petition with accompanying bill was originally presented in the Senate and there referred to a joint committee, in which reference the House concurred. The committee reported to the House, recommending reference to the next General Court; a motion to substitute the bill in question was rejected, and then the report was accepted by the House. In the Senate the bill was substituted for the report, and this bill, on its passage to a third reading in the House, was laid aside as coming within the scope of the rule. BARRETT, H. 1893, p. 856; MEYER, H. 1896, p. 1142. Also see BARRETT, H. 1891, p. 419. [These rulings are inconsistent with the present practice of permitting the same amendment to be moved at different readings or stages of a bill.] Subsequently, in the same session, in a case in which the House had previously adopted a report recommending that the petitioner have leave to withdraw, it was held that a bill substituted in the Senate for the report should be entertained. The distinction made was that in this case the bill itself had not been previously offered in and rejected by the House. BARRETT, H. 1893, pp. 961, 967.

Previous to the foregoing rulings it had been held that a bill may be received from the Senate and considered by the House, although a similar bill is there pending, or has been passed or rejected. Once in the House, and there referred to a committee of the House, a subsequent report of it back from that committee is a part of its career, and not such an introduction of it as to bring it within this rule as "introduced by a committee." LONG, H. 1877, p. 424; GOODWIN, H. 1860, p. 550. *Contra,* see SANFORD, H. 1875, p. 323; OSGOOD (acting Speaker), H. 1877, p. 416.

That this rule does not apply to amendments previously disposed of by the House, see HERTER, H. 1939, p. 1950; WILLIS, H. 1945, p. 1619. [Also see (under "Courtesy between the Branches") "Sundry Rulings."]

A bill changed in but a single essential provision is not substantially the same. SHERBURNE (acting Speaker), H. 1917, p. 1020; COX, H. 1916, p. 1146; CUSHING, H. 1914, p. 1590; NOYES, H. 1881, pp. 402, 446. See also MEYER, H. 1896, p. 1179; JEWELL, H. 1868, p. 204; SALTONSTALL, H. 1931, p. 1078; H. 1935, pp. 449, 1474; HAYS (acting Speaker), H. 1935, p. 1185; SALTONSTALL, H. 1936, p. 301; CAHILL, H. 1937, pp. 643, 716(2), 845, 994, 1198; H. 1938, pp. 354, 373, 1045, 1431; HERTER, H. 1939, pp. 821, 991; KEVERIAN, H. 1985, p. 1764; H. 1987, p. 1726. [Also see S. 1903, p. 875; S. 1922, p. 750; S. 1929, p. 613.]

Many proposed substitutes have been excluded, under this rule, when embracing measures or amendments substantially the same as those covered by previously accepted reports of leave to withdraw, inexpedient to legislate, no legislation necessary or ought not to pass. For examples see SANFORD, H. 1874, p. 349; BISHOP, S. 1880, p. 243; MARDEN, H. 1884, p. 555; FROTHINGHAM, H. 1904, p. 990; SALTONSTALL, H. 1933, p. 934; CORREIA (acting Speaker), H. 1986, pp. 878, 935.

When the House substitutes a bill for one of several adverse reports on the same subject, it may then accept the other adverse reports and the provisions of this rule cannot be raised as a bar to further consideration when the substituted bill again comes before the House. O'NEILL, H. 1950, p. 891.

An order cannot be excluded from consideration on the sole ground that its provisions contravene the provisions of an order previously adopted. HERTER (acting Speaker), H. 1937, p. 369.

For exclusion of an order limiting the number of cars to be run through the East Boston Tunnel, see WARNER, H. 1919, p. 1327.

When a report of leave to withdraw had been accepted by both branches, it was held that a bill, moved as an amendment to a subsequent report of the same committee to the same effect on a petition asking for substantially the same legislation as that on which the first report was based, must be laid aside. COLE, H. 1907, p. 540. See also COX (acting Speaker), H. 1912, p. 1032; HERTER, H. 1939, pp. 1199, 1220.

After a bill reported on a petition has been rejected, the petition cannot be considered further. SANFORD, H. 1874, p. 511. See also SANFORD, H. 1873, p. 198; KIMBALL (acting Speaker), H. 1871, p. 400. But see notes under Joint Rule 5.

The acceptance of a report "no legislation necessary on the Governor's message" was held not to cut off action on a substitute for a bill previously reported by the same committee, although such bill and substitute covered matter embraced in the Governor's message. NOYES, H. 1888, p. 584.

In the case of a bill which had been read a third time, it was held that it was too late to raise the point of order that it was improperly before the House because it was substantially the same as a bill which had been pre-viously finally rejected. BATES, H. 1897, p. 1197; SALTONSTALL, H. 1933, p. 1279; HERTER, H. 1939, pp. 1175, 1196; WILLIS, H. 1945, p. 1444.

It was held that this rule applied to an article of amendment of the Constitution based on a message from the Governor but substantially the same as one which the House, previously to the receipt of the message, had refused to agree to because the committee might have reported a constitutional amendment which would meet the Governor's recommendation and yet be materially different from the amendment the House had rejected. [In this case the Speaker refused to rule on the question whether, if the Governor had sent in a message recommending specific legislation which had already been rejected by the House it would, if reported by a committee, be such an introduction by a committee as would bring it within the provisions of this rule.] CUSHING, H. 1913, pp. 1864, 1874. [But see HERTER, H. 1941, p. 1849.]

"Introduced by any committee or member." As to the effect of these words, see LONG, H. 1877, p. 427. That the above words do not apply to reports of committees based upon Governor's messages. HERTER, H. 1941, p. 1849. [See *Contra* — SALTONSTALL, H. 1936, p. 1587.]

That an order providing for forwarding to the Massachusetts Bar Association the transcript of evidence presented before the committee on Rules in connection with the summonsing of Alfred B. Cenedella, Lawrence R. Goldberg and other persons relative to corrupt acts by public officials and others is properly before the House, under Rule 38, for the reason that the prior subject matter was in the nature of a secondary amendment and as such presented a different parliamentary question. O'NEILL, H. 1951, p. 1925.

That an amendment to the "Bill providing for certain night parking of motor vehicles in the city of Boston" was properly before the House for the reason that its prior consideration had been at a different reading of the bill. BATAL (acting Speaker), H. 1951, p. 1960.

It is not in order to move as an amendment to the General Appropriations Act the contents of a bill pre-viously disposed of by the House. MCGEE, H. 1976, p. 1557; H. 1977, pp. 1282, 1286; PIRO (acting Speaker), H. 1984, pp. 550, 551.

It is not proper to offer as an amendment the text of a bill that has been approved by both branches and was presently awaiting the Governor's approbation. FINNERAN, 1996, p. 2317.

Rule 40. [53.] For effect, after reconsideration of enactment and the striking out of the enacting clause, of a motion to reconsider the latter action, see CAHILL, H. 1937, p. 1020.

Rule 41. [56.] It was held that the provision requiring a bill to be placed in the Orders of the Day for the next day did not apply in a case where a bill had been returned, without recommendations, by a committee, in response to an order to report forthwith, and the committee had been discharged. COX, H. 1915, p. 1192.

That a bill filed in the Clerk's office after adjournment and placed on the Calendar for the next sitting is properly before the House since the first reading of a bill is an undebatable stage and it has been the custom over a period of many years to dispense with such first reading without prejudicing members' rights. KIERNAN (acting Speaker), H. 1962, p. 1128.

Rule 42. [57.] See note to Rule 41.

That a request for the yeas and nays on the acceptance of an adverse report is not frivolous in its nature, but a main question. HULL, H. 1926, p. 292.

Rule 43. [58.] After a bill has been ordered to a third reading, it is too late to raise the point of order that it was not based on a definite recommendation of the majority of a special commission on whose report the bill was based. HULL, H. 1928, p. 738. Or that it is broader than the scope of the subject matter on which it was based. SALTONSTALL, H. 1934, p. 1058. [Also see rulings under House Rule 73.]

Rule 45. [59.] Matters in the Calendar must be acted upon separately. A single request that several matters be passed for debate is not in order. BARRETT, H. 1890, p. 604.

That an order for a second legislative day was properly before the House even though the House was considering the matters in the Orders of the Day since such an order was strictly a procedural matter similar to a motion to adjourn or to recess, which are always in order under House Rule 64. MCGEE, H. 1979, p. 1899.

That a motion to call for the Orders of the Day is a proper motion of high priority under general rules of parliamentary procedure, in answer to a point of order that a motion to proceed to consideration of the Orders of the Day, was improperly before the House for the reason that the Rules of the House of Representatives *do not* provide for the pending motion and therefore such motion could only be adopted by unanimous consent of the members, KEVERIAN (acting Speaker), 1981, p. 646.

Rule 46. [60.] A point of order that the House is not complying with the disposal of matters in the Orders of the Day according to the provisions of this rule [and also Rule 47] is premature if raised before the House has met for the second legislative day. O'NEILL, H. 1949, p. 954. [Subsequently, after declaration of second legislative day, the point of order was well taken, p. 955.]

Rule 47. [61.] If a matter is discharged from the Orders of the Day, the vote cannot be reconsidered on the succeeding day, BLISS, H. 1853, p. 362.

VOTING.

It is the duty of every member to vote unless excused from so doing, or debarred "by private interests distinct from the public interest." BARRETT, H. 1892, p. 1207. See House Rules 19 and 48.

A member has no right to change his vote after the result is declared, even though the declaration is erroneous, and the right is claimed prior to a corrected statement. PHELPS, H. 1856, p. 496.

A vote may be declared null and void after it has been recorded. EDDY, H. 1855, p. 1570.

Pending a roll call it is not in order to move that the doors be closed, because such a motion, if adopted, might prevent members from coming in to vote. It is, however, in order to close the doors in case of a quorum call of the House, because it is the very object of the proceeding to ascertain who is present. HALE, H. 1859, p. 335.

Rule 48. [64.] Any member may require the observance by other members of the duty of voting while the vote is proceeding, and before it is declared; but it is too late to call for the enforcement of the rule after the voting has been completed and declared. SANFORD, H. 1874, p. 564.

The proper time to raise a point of order under this rule is before the vote has been completed and declared. O'NEILL, H. 1949, p. 1699.

A point of order that before the vote is declared the Speaker should secure applications from members desiring to be excused from voting was not well taken for the reason that the present rules of the House do not give the Chair the power to compel members to vote. O'NEILL, H. 1949, p. 1699.

"Members desiring to be excused from voting shall make application," etc. For a case which arose prior to the adoption of this provision, see BLISS, H. 1853, p. 367.

This rule applies only to main questions, and not to subsidiary, incidental or privileged questions. BRACKETT, H. 1885, p. 766.

"And shall not be subject to the provisions of rule forty-eight." This means that the yeas and nays cannot be taken on the question of excusing a member from voting. BARRETT, H. 1890, p. 607.

Rule 50. [66.] The privilege of a member to doubt a vote has been held not to be lost, although another member, desiring to offer an amendment, first secures recognition by the chair. UNDERHILL (acting Speaker), H. 1911, p. 1996.

For a case in which it was held that the verification of a vote was in order even though a motion to adjourn had followed and been rejected, see COX, H. 1918, p. 613.

Rule 51. [67.] *"And if a quorum is present the vote shall stand."* This is an expression of a general principle enunciated by Speaker SANFORD, H. 1874, p. 564; BARRETT, H. 1889, p. 226. See also notes of rulings on the Constitution, Articles of Amendment, XXXIII, and on the Senate Rules under "Voting."

Where the Journal showed that less than a quorum voted, and that the point of order was immediately raised that a quorum was not present and the House adjourned without determining whether a quorum was in fact present, it was held that the vote was void. MEYER, H. 1895, p. 370.

The absence of a quorum does not automatically adjourn the House and a motion to instruct the Sergeant-at-Arms to secure the presence of a quorum may be made. MURPHY (acting Speaker), H. 1949, p. 1442.

That general parliamentary practice supports the view that if the House is in the process of verifying a vote when a member doubts the presence of a quorum, that, upon the securing of a quorum, no further debate should be permitted. SKERRY, H. 1955, p. 1853.

On a rising vote being taken, after the announcement by the Speaker of the vote in any one division, it is too late to ask that the count of said division be retaken or verified after the announcement by the Speaker of the count in the next division. YOUNG, H. 1922, p. 645.

Rule 52. [68.] The call for the yeas and nays on the question of the disposition of a matter on the Calendar must be made before the consideration of the next matter on the calendar has been taken up. MYERS, H. 1902, p. 359.

When a question is before the House, and the yeas and nays have been ordered, a motion to reverse the roll call is not in order. BLISS, H. 1853, p. 299.

It seems that request for the yeas and nays cannot be laid on the table. See ASHMUN, H. 1841, p. 385.

Pending the taking of the yeas and nays a point of order will not be entertained. MYERS, H. 1902, p. 1232; WILLIS, H. 1945, p. 1562; H. 1948, p. 1455; O'NEILL, H. 1950, p. 1576.

After a request for the yeas and nays has been refused, a second request on the same question cannot be entertained. MYERS, H. 1900, p. 1314; WHITE (acting Speaker), H. 1910, p. 646.

"No member shall be allowed to vote who was not on the floor before the vote is declared." For a case arising when the rule provided that no member shall be allowed to vote who was not upon the floor when his name was called, or before the roll call was finished, see EDDY, H. 1855, pp. 1573, 1658.

A point of order was raised that the Speaker was in violation of the rules by interrupting a member who had the floor in debate for the purpose of allowing a member to vote. KEVERIAN, 1985, p. 576.

Rule 69. See notes on Rule 52.

RECONSIDERATION.

Rule 54. [70.] This rule was reconstructed and certain new provisions were added in 1902.

Agreement to an Article of Amendment of the Constitution can be reconsidered. MARDEN, H. 1883, p. 422; MORAN (in joint session), H. 1935, p. 1289.

Reconsideration can be had of a vote rejecting the report of a committee which declared that the seat of a member was vacant. HALE, H. 1859, p. 133.

As to reconsideration of votes to commit petitions, etc., and of the enactment of laws, see notes to Senate Rules 8 and 53.

When a vote has been passed to close debate at a specified time, and that time has arrived, it is too late to move a reconsideration in order to extend the debate. NOYES, H. 1880, p. 220.

A motion to reconsider a vote whereby a rule has been suspended cannot be entertained after business consequent upon the suspension has intervened. MEYER, H. 1894, p. 466.

As to whether the adoption of an order can be reconsidered after its execution has begun, see HALE, H. 1859, p. 270. ["The House alone has ample authority to make a committee, and may rescind its order for this purpose *before proceedings are had by the committee.*"]

[A motion was entertained to reconsider the adoption of an order providing for a joint committee to redivide the Commonwealth into congressional districts, although the members of the committee had been appointed in both branches. H. 1931, pp. 446, 453.]

[Speaker SALTONSTALL was prepared to rule that, upon reconsideration of a vote on which the main question had been ordered or debate had been closed, the bill was open for further debate. See bill creating a milk control board, H. 1934, pp. 880, 888, 895.]

A motion to rescind a standing or special order of the House may be entertained after the time for reconsideration of the order has expired. MEYER, H. 1894, p. 823; H. 1895, p. 982.

It has been held that a motion to reconsider a vote on an undebatable question cannot be debated. ROCKWELL, H. 1858, p. 331.

"On the next day thereafter on which a quorum is present." Before the requirement of the presence of a quorum (121 members) was inserted in this rule, it was held that a session held merely for the purpose of complying with the provisions of the Constitution, and not for the purpose of transacting business, was not to be considered as "the succeeding day." BARRETT, H. 1890, p. 1277.

When each of two or more daily sessions is declared to be a legislative day, each session is a day within the meaning of this rule. BARRETT, H. 1893, p. 1036.

During the last week of the session, the House having voted to remain in session until the completion of the matter under consideration and the vote thereon having been taken, it was held that a motion to reconsider was in order before adjournment. MYERS, H. 1900, p. 1444.

"Except during the last week of the session." These words may be construed as meaning the week prior to the date of final adjournment in case a date for prorogation has been voted by the House. BARRETT, H. 1889, p. 965. These words do not abrogate the right of a member to move reconsideration on the succeeding day. SALTONSTALL, H. 1932, p. 996.

"Before the Orders of the Day have been taken up." For a case in which a motion to reconsider was entertained after the Orders of the Day were taken up, see OLMSTEAD (acting Speaker), H. 1892, pp. 380, 381. But see also ST. JOHN (acting Speaker), H. 1892, p. 1202.

"First in the Orders of the Day for the succeeding day." Under a rule having a similar requirement, it was held to be necessary, notwithstanding the rule, to take up forthwith a motion to reconsider a vote that when the House adjourn it be to a day or hour different from that fixed by the rules. GOODWIN, H. 1860, p. 415.

"Shall be considered forthwith." This does not prevent a postponement of action on the motion to reconsider by vote to that effect. HALE (acting Speaker), H. 1874, p. 23.

A bill having been laid aside on the ground that it was beyond the scope of the petition on which it was based, a motion was made to recommit the bill under a suspension of the 5th Joint Rule. This motion having been rejected, and a motion to reconsider its rejection being before the House, it was held that the consideration of such motion could by vote be postponed to a time certain. WALKER, H. 1909, pp. 844, 851.

In the case of a motion to reconsider a vote whereby the House refused to discharge a matter from the Orders of the Day under a suspension of the rules, it was held that such motion should be considered at the time when made. TOBIN (acting Speaker), H. 1886, p. 524.

When a motion to reconsider is pending, it is too late to entertain a point of order that the matter under consideration is not properly before the House. SALTONSTALL, H. 1932, p. 428.

The acceptance of an adverse report having been reconsidered at the next sitting, and an amendment rejected at the preceding sitting also having been reconsidered, it cannot be held that the amendment is not in order on the ground that a similar amendment had been rejected at said next sitting. CAHILL, H. 1937, p. 1022.

That the House must proceed with a motion to reconsider the rejection of an amendment to the report of the joint special committee appointed to prepare rules for the government of the two branches, under the provisions of Rule 54, unless a motion to postpone prevails. O'NEILL, H. 1951, p. 519.

Rule 55. [71.] *"No question shall be twice reconsidered."* Where a bill had been rejected, and reconsideration was carried, and the bill was then amended in an essential feature, it was held that a reconsideration of a second rejection would be in order, because the question on the second rejection was not the same as that on the first. STONE, H. 1867, p. 218; HEYWOOD (acting President), S. 1865, p. 533.

The same question cannot twice be reconsidered. The fact that the question has been decided once in the affirmative and once in the negative makes no difference. BLISS, H. 1853, p. 721; CAHILL, H. 1937, p. 1020.

It has been held that this rule can be suspended so as to allow a second reconsideration. PHELPS, H. 1856, p. 481.

It is competent for the House to reconsider a vote refusing to pass a bill over the Executive veto, notwithstanding the first vote is described in the Constitution as a "reconsideration" of the bill. SANFORD, H. 1874, p. 583; FROTHINGHAM, H. 1905, p. 1098. See notes on the Constitution, Chap. I., Sect. I., Art. II.

RULES OF DEBATE.

[See Rules 57 to 61, inclusive.]

See paper on member retaining floor after adjournment due to lack of quorum, by Norman L. Pidgeon, Advisor to Senate, 1975, S.J., p. 1941.

Remarks should be addressed to the presiding officer, not to the House in general. BULLOCK, H. 1865, p. 155.

When a member yields the floor to another, he loses the right to it altogether. BRACKETT, H. 1885, p. 741.

When a member rises for the purpose of objecting to the granting of unanimous consent he is recognized for that purpose only and is not entitled to the floor in preference to another member. YOUNG, H. 1922, p. 178.

That a member by yielding the floor to another member cannot thus transfer to the latter the right to the floor. YOUNG, H. 1922, p. 474.

No person not a member of the legislative body has any right to take part in the debates. For a case in which application of this rule was made to the chaplain's prayer, see SANFORD, H. 1872, p. 291.

The uniform custom in the House has been to allude to a member by his residence. The pronouncing of the name of one member by another in debate is liable to lead to the excitement of personal feeling, and to a disturbance of that harmony and courtesy among the members which are essential to the highest style of order in a deliberative assembly. BULLOCK, H. 1865, p. 155.

A member is not debarred under the provisions of this rule from reading from the House Journal the names of members of the House. GIBBONS, H. 1953, p. 887.

That the uniform custom of the House has been to consider it improper to divulge what has taken place in executive sessions of committees. TYLER (acting Speaker), H. 1954, p. 1628.

That a member was not violating the uniform custom of the House which prohibits the divulging what has taken place in executive sessions of committees. SKERRY, H. 1957, p. 909.

Allusion should not be made to the opinions or wishes of the Executive for the purpose of influencing the decision of any question. This point is not one merely of formality or propriety, but one of principle, affecting the independence of the several branches of the government. The official acts and orders of the Executive, and his opinions officially communicated to the Legislature, are properly subjects of discussion and may well be referred to for the purpose of influencing the action of the legislative body; but it is irregular and unparliamentary in debate for member, with a view to securing the passage or defeat of a measure, to refer to the supposed opinion or wish of the Executive not officially promulgated. BULLOCK, H. 1865, p. 155; MORISON (acting Speaker), H. 1889, p. 800.

It is out of order for members to debate opinions of the Governor except in so far as said opinions are expressed in official messages and documents and that to impugn the motives of the Governor is clearly out of order. WILLIS, H. 1948, p. 1233; O'NEILL, H. 1951, pp. 1440, 1969; SKERRY, H. 1955, pp. 481, 846, 886, 1310, 1938, 2004.

That the remarks of a member related to official acts or orders of the Governor and even though they were not officially communicated to the Legislature, they were well within the ambit of previous rulings. O'DEA (acting Speaker), H. 1955, p. 1305. [Ruling of the Chair sustained on appeal.]

That considerable latitude is allowed in debating a question based on a message from the Governor which had been officially communicated to the House. SKERRY, H. 1956, p. 950.

A member, in presenting to the House his question of personal privilege, is not violating the general practice of legislative procedure which prohibits the introduction of the name of the Chief Executive in debate even though it directly relates to action of the Governor in relation thereto. VALENTINE (acting Speaker), H. 1946, pp. 1127, 1128.

When unanimous consent has been granted to make a statement a member must confine his remarks to a brief statement and not proceed to debate the passage of a bill. BURKE (acting Speaker), H. 1947, p. 1458; MACLEAN (acting Speaker), H. 1977, p. 2637.

After a point of order has been raised, the subject can be postponed to give the Chair time for consideration. NOYES, H. 1882, p. 446.

A point of order will not lie for the reason that a bill does not conform to the subject matter as stated in the title. BARRETT, H. 1892, p. 1160.

An order having been adopted that the Speaker should declare an adjournment on the completion of the business on which the House was engaged at 5 o'clock, it was held that a motion to take a recess until 7:30, made after 5 o'clock, was not in order, for the reason that the order had not been suspended. BRACKETT, H. 1885, pp. 771, 775.

Rule 58. [74.] A point of order that a member was not on his feet when he made a motion to adjourn whereas the objector addressed the Chair from his seat, was not well taken. SALTONSTALL, H. 1933, p. 1154. Also see BARRETT, H. 1893, p. 903.

Rule 61. [76.] The House has refused to sustain a ruling that the intent of this rule is to give the preference in speaking only to such members who have not spoken as rise at the same time with a member who may desire to speak a second time. HALE, H. 1859, p. 288. See also BARRETT, H. 1893, p. 908; O'NEILL, H. 1950, p. 1463.

That the Chair had not violated the provisions of this rule as the member who had the floor was speaking on the motion to suspend Rule 64 and that it was the first time he had spoken on that particular question. ARTESANI (acting Speaker), H. 1958, p. 1408.

Rule 62. [77.] That an amendment would be considered in legible form as it has been the custom of the Clerk to perfect, when possible, amendments that were not too clear as to the meaning. MOAKLEY (acting Speaker), H. 1959, p. 1465.

That an amendment was not in suitable amendment form as it could not, if adopted, be attached to the bill. QUINN, H. 1968, p. 2155.

MOTIONS.

In general terms, it is a principle of parliamentary law that no question can be moved a second time upon which the judgment of the House has already been expressed. See WADE, H. 1879, p. 540; HALE, H. 1859, p. 277; PHELPS, H. 1856, p. 530. Thus a report of leave to withdraw having been made and an amendment substituting a bill having been rejected and the report having then been laid upon the table, the same motion to amend is not in order when the report is again taken from the table. FROTHINGHAM, H. 1904, p. 767.

If a motion to lay on the table is lost, another motion to lay on the table is not in order until some substantial business has been transacted. The rejection of a motion to adjourn is not substantial business. BLISS, H. 1853, p. 281. See also CROCKER, S. 1883, p. 286.

A motion to suspend the rule limiting the time allowed to each speaker is in order pending a debate, although before the debate began a similar motion had been made and defeated. HALE, H. 1859, p. 603.

A motion that the further reading of a paper be dispensed with is not barred by the fact that at a previous point in the reading a similar motion has been rejected. HIGGINS (acting Speaker), H. 1894, p. 128.

No two resolutions nor any two bills contradictory to each other can be passed at the same session. See WADE, H. 1879, p. 540.

That an amendment substituting (in part) a bill for an order providing for an investigation of the disposition of "breaks" at horse and dog racing meetings cannot be entertained for the reason it would reverse what the House had already done and subsequently had refused to reconsider. WILLIS, H. 1948, p. 1440.

If, however, an amendment is made at one reading of a bill, inserting certain words, the same words, or any part of them, may be stricken out by amendment at a subsequent reading without reconsideration of the first amendment. SANFORD, H. 1874, p. 246. So also the rejection of an amendment at one reading of a bill does not bar the same amendment from being entertained at a subsequent reading. MEYER, H. 1894, p. 1187. For further modifications and explanations of this principle, see notes to Senate Rule 54 and House Rule 38.

A resolution disapproving of the course of a member is not admissible, unless such course has been a violation of the rules and privileges of the House. SANFORD, H. 1872, p. 292.

Rule 64. [79.] *"A motion to adjourn shall be always first in order."* A motion to adjourn is not in order "when a member in debate has the floor" or pending the verification of a vote. BLISS, H. 1853, pp. 275, 365.

If the main question has been ordered, a motion to adjourn is not in order until the main question is decided. BLISS, H. 1853, p. 275.

When a time has been fixed for taking a vote, and that time has arrived, a motion to adjourn is not in order, for the reason that adjournment would be a reversal of the decision to vote at a specified time. CROCKER, S. 1883, p. 289.

A motion to adjourn to a specified time is not entitled to precedence. BLISS, H. 1853, p. 302.

Although members' names are frequently used by presiding officers in presenting motions for adjournment this should never be done without the members' consent express or implied. THOMPSON, H. 1963, p. 2819.

If a motion to adjourn has been negatived, it cannot be renewed until substantial business has intervened. BLISS, H. 1853, p. 303; BACHELDER (acting Speaker), H. 1898, p. 780; DAVOREN (acting Speaker), H. 1963, p. 1650. See notes to Senate Rule 46.

If there is no other motion before the House, a motion to adjourn may be amended by specifying a particular day, and it has been held that it is not even then debatable. CROWNINSHIELD, H. 1849, p. 314.

The lack of a quorum does not automatically adjourn the House and a motion to instruct the Sergeant-at-Arms to secure the presence of a quorum is in order. MURPHY (acting Speaker), H. 1949, p. 1442.

See notes to House Rule 69.

Rule 65. [80.] See notes to Rules 52 and 64.

"Or some other motion that has precedence." If a special assignment is not called up on the day assigned for its consideration, it has been held that it falls through and loses its privilege, but this ruling was overruled by the House. BLISS, H. 1853, p. 347. See notes to Senate Rule 46.

"And he shall receive no motion relating to the same, except, etc." In the absence of specific authority under any rule, it was held that, pending the question on ordering to a third reading a certain bill introduced by initiative petition, it was not in order then to entertain a resolution proposing a legislative substitute, to be grouped with the said bill on the ballot as an alternative therefor. WARNER, H. 1920, p. 832.

"For the previous question." A motion for the previous question was held to be out of order where the only business intervening between it and a prior motion for the previous question was the offering of two amendments and the rejection of a motion to postpone. MYERS, H. 1903, p. 349.

A motion for the previous question cannot be entertained by the Chair when another member has the floor. THOMPSON (acting Speaker), H. 1956, p. 973.

This motion may be renewed after "such length of time has been consumed in debate as to make it virtually a new question." JEWETT (acting Speaker), H. 1930, p. 923.

"To close the debate at a specified time." See notes to Rule 69.

"To commit (or recommit)." See CUSHING, H. 1913, p. 1317. See also note to Senate Rule 46.

"To amend." See notes to House Rule 73 and Senate Rules 46 and 50.

That a point of order that a recess declared by the Speaker was contrary to the facts since the question thereon had not been put to the House for its vote, is not well taken for the reason that it had not been seasonably raised. O'NEILL, H. 1951, p. 1971.

Rule 66. [81.] If the House adjourns pending a motion for the previous question, the consideration of said motion is not removed from before the House on the following day. BARRETT, H. 1890, p. 604.

After a motion has been made for the previous question, all debate upon the main question shall be suspended until the previous question is decided. WILLIS, H. 1947, p. 1622.

Rule 68. [84.] After the adoption of the motion for the previous question, and after it was shown, on putting the main question to vote, that a quorum was not present, the point of order that, upon securing the attendance of a quorum, further debate should be allowed, was held to be not well taken as not being seasonably raised. COLE, H. 1907, p. 794.

If a motion for the previous question is carried while a motion to reconsider the adoption of an amendment is pending, the motion to reconsider is not thereby made the main question. ELDRIDGE (acting Speaker), H. 1860, p. 288.

"And then upon the main question." The announcement of a vote for the preacher of the election sermon having shown that no person had a majority, a motion was made that the person having the highest number of votes be declared elected, and the previous question was then moved and carried, and it was held that the main question was the motion that a plurality should elect. BRADBURY, H. 1848, p. 273.

Rule 69. [85.] Unless the vote on a motion to close debate at a specified time can be taken at least thirty minutes before the time specified, the motion is improperly before the House. BATES, H. 1899, p. 505; WALKER, H. 1911, p. 1952.

When the hour mentioned in an order closing debate at a specified time has arrived, further debate is in order if the House, by unanimous consent, extends the time. WILLIS, H. 1945, p. 1533.

It has been held that a motion to close the debate must be put to the question before the time specified in the motion even if it is necessary to interrupt a speaker for the purpose of so doing. UPHAM, S. 1858, p. 448.

A motion to close debate at a specified time was held not to have been rendered inoperative by the fact that after the time had passed, but before the votes on various pending amendments and on the main question had been taken, the House considered and acted upon a special assignment and then adjourned. MYERS, H. 1903, p. 955.

The motion to close the debate at a specified time cannot be applied to a motion to refer a matter to the next General Court, for the reason that one subsidiary motion cannot be applied to another. BRACKETT, H. 1885, p. 599.

The adoption of a motion to take the vote at a specified time does not bar a motion for the previous question or a motion to extend the time. SANFORD, H. 1873, p. 262. When, however, the time fixed for taking the vote has arrived, it is too late to move a reconsideration in order to extend the time. NOYES, H. 1880, p. 220.

Rule 71. [88.] For rulings on recommittals see Joint Rule 5.

MOTIONS TO AMEND.

Rule 72. [89.] When an amendment has been adopted inserting or striking out certain words in a bill, the same words when taken in connection with other words, thus constituting a different proposition, may be struck out or inserted by subsequent amendment at the same stage. WARNER, H. 1919, p. 211; BATES, H. 1899, p. 909. See notes to Senate Rule 46, under "to amend."

A point of order against an amendment is premature when an amendment of the amendment is pending or when a motion to recommit is pending. HULL, H. 1927, p. 632.

That further amendments relative to providing for a new local aid distribution formula in the General Appropriation Bill for fiscal year 2002, to consolidated amendments (offered by the Chairman of the committee on Ways and Means, under revised House Rule 20A), were not in the third degree, but are allowed as second degree amendments, since consolidated amendments simply take the place of amendments in a category; and therefore consolidated amendments are merely revisions and are therefore considered amendments in the first degree. FINNERAN, H. 2001, p. 358

That a further amendment to a Bill relative to the tax laws of the Commonwealth, was properly before the House, in answer to a point of order that the amendment did not contain a fiscal note [since amendments do not require a fiscal note], HARKINS, (acting Speaker), H. 2005, p.382.

Rule 73. [90.] The rejection of an amendment at one reading of a bill does not bar the same amendment from being entertained after a subsequent reading, or in connection with any other bill to which it would be germane. MEYER, H. 1894, p. 1187; SALTONSTALL, H. 1936, p. 1599.

That an amendment to provide for placing a binding question on the ballot went beyond the scope of the petitions upon which was based the Bill reorganizing the school committee of the city of Boston. VOKE (acting Speaker), H. 1991, p. 814.

An amendment proposing a state-wide referendum on any bill has not been in order since adoption of the "Initiative and Referendum" Article of Amendment (XLVIII) to the Constitution, which substituted a new method of referendum by petition. CAHILL (acting Speaker), H. 1935, pp. 1080, 1740; O'NEILL, H. 1951, p. 2362; SKERRY, H. 1956, p. 958; DAVOREN (acting Speaker), H. 1964, p. 1388.

But an amendment adding a non-binding referendum question to the ballot would not be beyond the scope of the petition upon which the bill prohibiting the appropriation or expenditure of state or federal funds for abortion purposes, was based. MCGEE, H. 1977, p. 1604.

An amendment providing for local acceptance of a bill providing for mass transportation facilities was held to be germane even though not requested by the petitioner. DAVOREN (acting Speaker), H. 1964, p. 2045.

An amendment eliminating certain taxes from a bill based on a message from the Governor was held to be germane even though the Governor had asked for legislation in the precise form of the bill submitted with such message. DAVOREN, H. 1965, p. 2588.

The words "or for such other legislation as may be deemed necessary" in a petition asking for legislation must be construed as limited to the principal subject of the petition. YOUNG, H. 1922, p. 518.

An amendment striking out a portion of a bill is not germane if it broadens the bill beyond the scope of the petition. MYERS, H. 1900, p. 918.

An amendment is not in order if it extends beyond the scope of the subject matter on which the report of a committee is based. MARDEN, H. 1883, p. 232; BARRETT, H. 1893, pp. 1046, 1056; MYERS, H. 1900, p. 1146; SALTONSTALL, H. 1930, pp. 290, 405, 642; H. 1931, p. 938; H. 1933, p. 1194; H. 1936, pp. 533, 753; BIGELOW (acting Speaker),

H. 1936, p. 609; CAHILL, H. 1937, pp. 453, 572, 714; H. 1938, pp. 237, 526, 1495, 1560. The Governor, in returning bills with recommendation of amendment, is not exempt from this principle. SALTONSTALL, H. 1936, p. 1573; BARTLEY, H. 1974, p. 2398; H. 1975, p. 2143; MACLEAN (acting Speaker), H. 1976, pp. 1650, 1651; MAROTTA (acting Speaker), H. 1984, p. 931; KEVERIAN, H. 1985, pp. 183, 487, 506; H. 1987, pp. 1653, 1654. MENARD (acting Speaker), H. 1991, p. 824; FLAHERTY, H. 1991, p. 1480; M. P. WALSH (acting Speaker), H. 1991, pp. 1515, 1547; VOKE (acting Speaker), H. 1992, p. 39; H. 1996, p. 1687; SCACCIA (acting Speaker), H. 1996, pp. 2209, 2212, 2214; NAGLE (acting Speaker), H. 1997, p. 395; H. 1998, pp. 1979-1980; FINNERAN, H. 1998, p. 1429. [Also see ruling under House Rule 43.]

See notes to Senate Rule 50. See also ruling by Speaker BARRETT (H. 1889, p. 842), cited in notes on Joint Rules under "Committees."

For rulings as to amendments declared to be germane, see SALTONSTALL, H. 1935, p. 1064; H. 1936, pp. 388, 463, 886, 926, 1038; CAHILL (acting Speaker), H. 1936, p. 341; CAHILL, H. 1937, pp. 577, 1198; H. 1938, pp. 661, 815, 1069; FLAHERTY, H. 1995, p. 165; FINNERAN, H. 1996, p. 2417; H. 1997, p. 1003; H. 1998, pp. 1454, 1951.

The scope of a bill sought to be amended is not limited by the scope of an investigation which may have been ordered, but includes the scope of the original petition and of any resulting bill or resolve which may have been given legislative sanction. SALTONSTALL, H. 1930, p. 765.

For amendments deemed not to be frivolous in their nature, see SALTONSTALL, H. 1935, p. 761; CAHILL (acting Speaker), H. 1935, p. 1280.

For an amendment deemed to be frivolous in nature, see C. F. FLAHERTY (acting Speaker), 1985, p. 12.

An amendment relative to the public purchase and operation of a public utility is broader in its scope than a recommendation for legislation relative to the public control and operation of such utility. HULL, H. 1928, p. 990; SALTONSTALL, H. 1931, p. 938.

An amendment increasing an appropriation to an amount larger than the specific sum recommended by the Governor in a special emergency message is not in order. YOUNG, H. 1922, p. 214. See notes to Amendment LXIII of the Constitution.

An amendment authorizing the playing of poker in connection with prizes to be won by chance, was held not to be germane to a bill authorizing the playing of "beano, or any similar game." CAHILL (acting Speaker), H. 1934, p. 1169.

A bill contemplating legislation is not admissible as an amendment to a report of a committee, leave to withdraw, on a petition which simply asks for a public hearing and not for legislation. TUCKER (acting Speaker), H. 1892, p. 460.

In a case where a bill permissive in its character was the subject matter referred, it was held that an amendment, which, if adopted, would make the bill mandatory, was not in order. MCDONOUGH (acting Speaker), H. 1888, p. 535. See also CUSHING, H. 1912, p. 1662; SALTONSTALL, H. 1933, p. 1193.

An amendment which provides for a *modification* of an existing law is not germane to a bill which provides for a repeal of the law. COX, H. 1916, p. 288; MARDEN, H. 1883, p. 512; NOYES, H. 1887, pp. 523, 552; BARRETT, H. 1892, p. 786; DARLING (acting Speaker), H. 1894, p. 1085. [For an interpretation of "modification" see SALTONSTALL, H. 1935, p. 1740.]

On a petition for repeal of a law, it is competent to report or substitute a bill for repeal of a part of that law, on the ground that it is competent to grant a part of the request of the petitioner. SALTONSTALL, H. 1935, p. 1739.

On a petition asking for a study of the subject matter, it is not competent to substitute a bill. BARTLEY, H. 1970, p. 1669.

On recommendations for modification of the so-called compulsory motor vehicle liability insurance law, it was held not to be germane to move an amendment repealing that law. SALTONSTALL, H. 1935, p. 1414.

A bill regulating the giving of entertainments on the Lord's Day was held to be within the scope of and germane to a petition asking for the prohibition of such entertainments. MYERS, H. 1900, p. 738.

A substitute removing existing legal restrictions is not germane to a petition and bill imposing more rigid restriction. MYERS, H. 1900, p. 1007; WEEKS (acting Speaker), H. 1908, p. 749.

An amendment providing for the abolition of an official board was held not to be germane to a petition asking for the continuance of the board. MEYER, H. 1894, p. 825.

The House has a right in granting legislation to impose such provisos, conditions or limitations as to it may seem fit. BARRETT, H. 1892, pp. 536, 839. See also COX, H. 1916, p. 837; CUSHING, H. 1912, p. 1645; CAHILL, H. 1938, p. 527; O'NEILL, H. 1951, p. 1407; BARTLEY, H. 1969, pp. 1755, 1769; H. 1971, p. 1918; H. 1974, p. 1962.

An amendment proposing an investigation of and report on the subject matter of a resolve must be held to be germane, even though an investigation was not requested by the petitioners. HULL, H. 1926, p. 738; SALTONSTALL, H. 1932, p. 504; CAHILL, H. 1938, pp. 630, 844.

But an amendment is not in order if it seeks only to ascertain the will of the people with reference to the subject matter, for the reason that such a proposition would not result in a report to the Legislature on which legislation could be based. HULL, H. 1927, p. 501; SALTONSTALL, H. 1932, p. 430; Herter, H. 1939, p. 923.

It is competent, in connection with a bill requiring the expenditure of a large sum of money, to provide by amendment a method of raising the money. SALTONSTALL, H. 1935, p. 1425; QUINN (acting Speaker), H. 1964, p. 1241. And to designate by amendment methods of financing a bill, "even from money already allocated for other purposes." CAHILL (acting Speaker), H. 1935, p. 1644. And to reduce by amendment an amount of money authorized (in the preceding year) to be expended, provided the money has not been spent. CAHILL (acting Speaker), H. 1936, p. 341.

An amendment relating to investments by savings banks is not germane to a bill based on a petition for legislation relative to the investment of savings bank deposits in the bonds of telephone companies. HULL, H. 1928, p. 241.

When the question is upon concurring with the other branch in the adoption of an amendment, such amendment only is the subject under consideration. COLE, H. 1906, p. 982; QUINN, H. 1967, p. 2653. And it is not in order to move to concur with the Senate in an amendment of an item, with a further amendment striking out the entire item, for the reason that it is not competent for the House to eliminate by amendment an item which had been agreed to by both branches. SALTONSTALL, H. 1935, p. 889.

Where a report, no legislation necessary, had been amended by the Senate by the substitution, in part, of certain bills for so much of the report as related to the subject matter of the said bills, and the report (remainder) had been accepted by that branch and so endorsed, it was held that the subject matter covered by the said bills had been removed from the report, and only the remainder thereof was before the House for its consideration. YOUNG, H. 1921, p. 1005.

For sundry cases in which a point of order had been raised that a proposed amendment is not germane to the subject under consideration, see the appendixes to the House Journals under the title of "Questions of Order," or "Orders, Points of." A list of the cases which arose prior to 1902 may be found in the Manual for the General Court of that year.

An amendment in the form of a substitute bill may not be amended after adoption, until the next reading of the substituted bill. PHELPS, H. 1857, p. 984; DAVOREN, H. 1966, p. 1632; H. 1967, p. 2521; QUINN, H. 1968, p. 1716; BARTLEY, H. 1971, p. 2030; H. 1974, pp. 2470, 2586.

That an amendment to a proposed substitute bill is in order for the reason that it is always proper to perfect a proposed substitute bill before it is adopted. MCGEE, H. 1978, p. 1657.

A further amendment to a pending amendment declared to be beyond the scope. SERRA (acting Speaker), H. 1995, p. 331; NAGLE (acting Speaker), H. 1996, p. 2160.

That an amendment to strike out a sentence of a bill was improperly before the House for the reason that the sentence had been amended in the same reading of the bill. MENARD (acting Speaker), H. 1991, p. 1282.

It is too late to raise objection that a substitute bill is not germane to a petition after the substitute has been adopted. MEYER, H. 1895, p. 406; SALTONSTALL, H. 1935, p. 821.

So also it is too late to raise objection that an amendment is not germane to a bill after the amendment has been adopted (NOYES, H. 1888, p. 463; MYERS, H. 1902, p. 1276; H. 1903, p. 1032; SALTONSTALL, H. 1934, p. 774), or after the consideration of the amendment has occupied the attention of the House a portion of two sessions. SANFORD, H. 1874, p. 367. See also DEWEY (acting Speaker), H. 1877, p. 463; NOYES, H. 1881, p. 480.

Objection that a bill covers matters not referred to the committee cannot be raised after action on the bill, by amendment, or by passing it to a third reading, or even after continued deliberation in regard to it. [For citations on rulings based on the foregoing, see Sundry Rulings.]

See notes to Senate Rule 50 and to Joint Rules under the head of "Committees."

That an amendment, offered as a substitute (in part) for a special report of the committee on Rules relative to an investigation of certain acts and conduct of Alfred B. Cenedella, Lawrence R. Goldberg and other public officials, was improperly before the House for the reason that it was broader in its scope than the subject matter of the pending report. The amendment was in the nature of a resolve addressing the Governor to remove John S. Derham from the office of Justice of the Second District Court of Southern Worcester. As the removal contemplates concurrent action by the other branch and as the Senate had no part in authorizing the investigation, no amendment would be in order which would make that branch a party to the proposed action. O'NEILL, H. 1951, p. 1906.

That a point of order that the failure to adopt an amendment to a bill left it in a form where it was improperly before the House was held to be not well taken for the reason that the question raised was a matter of law. O'NEILL, H. 1952, p. 946.

That a point of order that a bill in its amended form is not properly before the House for the reason that the remaining provisions thereof were broader in their scope than the petition upon which the bill was based was held to be not well taken, because the amendments had already been adopted and the House had engaged in protracted debate on the question of referring the bill, as amended, to the next annual session. O'NEILL, H. 1952, p. 1576.

For ruling on amendment offered to a bill, where the Governor had recommended the enactment of the legislation in its *precise form* —, see DAVOREN, H. 1965, p. 2588; BARTLEY, H. 1973, p. 3495.

That an item should not be in an appropriation bill but should be in a capital outlay bill. BARTLEY, H. 1973, p. 1090.

An amendment originating new legislation was an improper amendment to an appropriation bill. BARTLEY, H. 1974, pp. 1218, 1219, 2032; MCGEE, H. 1976, pp. 1569, 1975.

For rulings as to amendments declared to be beyond the scope of pending bills. MCGEE, H. 1977, pp. 294, 309, 1118(2), 1203, 1427, 1804, 2037, 2038, 2585, 2606, 2673; MCGEE, H. 1978, pp. 270, 505, 589, 618, 778, 1506, 1584, 1649; MCGEE, H. 1979, pp. 90, 1570, 1571, 1883; MCGEE, H. 1980, p. 454; MCGEE, H. 1983, pp. 405A, 415A, 913; MURPHY (acting Speaker), H. 1983, pp. 1843, 1844; C. F. FLAHERTY (acting Speaker), H. 1987, p. 742; VOKE (acting Speaker), H. 1995, p. 534; DIMASI (acting Speaker), H. 1996, p. 2418; NAGLE (acting Speaker), H. 1996, p. 2553; NAGLE (acting Speaker), H. 1998, pp. 2016, 2122.

That amendments to the House Rules (in House Rule 19, Code of Ethics) were improperly before the House. MCGEE, H. 1977, pp. 371, 372, 2222, 2263(2), 2264(2), 2266(2), 2290.

That an amendment to an order relative to the House rules declared beyond the scope. FLAHERTY, H. 1995, p. 10.

That amendments to the House Bill prohibiting the appropriation or expenditure of state or federal funds for abortion purposes were beyond the scope of the petition upon which the bill was based. MCGEE, H. 1977, pp. 1605(2), 1606(2), 1614(2), 1615, 1616.

That amendments to the General Appropriations Act (House, No. 5560) were improperly before the House for the reason that they sought to amend various items in the budget and also to insert "outside sections." MCGEE, H. 1978, p. 916.

That an amendment to the General Appropriations Act was improperly before the House for the reason that said amendment was not directly related to an item in section 20 of the bill. McGee, H. 1980, p. 684.

That an amendment to the General Appropriations Act was improperly before the House for the reason that the House had previously engrossed and sent to the Senate a bill substantially the same as the amendment. McGee, H. 1978, p. 984; H. 1980, p. 652.

That an amendment to the General Appropriations Act (House, No. 6262) was improperly before the House for the reason that the amendment sought to amend an item which had already been amended at the same reading. McGee, H. 1980, p. 672.

That an amendment was improperly before the House for the reason that the subject-matter of said amendment had previously been considered during the same reading. Voke (acting Speaker), H. 1993, p. 990. See also Flaherty, H. 1993, pp. 1270-1271; H. 1994, p. 628; H. 1995, p. 8.

That an amendment to proposed House Rules providing for additional compensation for vice-chairpersons of joint standing committees or House standing committees, was beyond the scope for the reason that it was statutory in nature. DiMasi (acting Speaker), H. 1999, p. 33.

That an amendment providing for a tax deduction for fees paid to agencies licensed to place children for adoption, was beyond the scope of a "Bill relative to adoption and promoting the welfare of children", because there were no provisions pertaining to taxes contained in the bill under consideration, or the original petition upon which the bill was based. Nagle (acting Speaker), H. 1999, p. 64.

That an amendment striking out the text of a "Bill making a permanent reduction in the income tax rate" and inserting in place thereof the text of a bill providing for certain income tax deductions, was beyond the scope of the pending bill. Nagle (acting Speaker), H. 1999, p. 220-223.

That a further amendment increasing the hourly credit for property tax reductions of certain elderly persons volunteering in cities and towns, was beyond the scope of a pending amendment to the General Appropriation Bill. DiMasi (acting Speaker), H. 1999, p. 302.

That a proposed substitute bill, for a "Bill making appropriations for the fiscal year 2000, prior to final action on the General Appropriation Bill for said fiscal year", was beyond the scope of the interim appropriation bill, because it would make appropriations not contained in the message submitted by the Governor. Nagle (acting Speaker), H. 1999, pp. 903-904.

That an amendment, identifying and defining equivalent district programs for standard teacher certifications, is beyond the scope of a "Bill improving teacher recruitment, retention and retirement.". NAGLE (acting Speaker), H. 2000, p. 2082-2083.

That a further amendment requiring that no money be expended on the Boston Convention Center Authority until final approval is granted for the construction of a certain runway at Logan International Airport, was beyond the scope of an amendment offered to the General Appropriation Bill for fiscal year 2002, providing for the payment of interest and principal bonds issued for the financing of the construction of convention and exhibitions centers in the Commonwealth. SCACCIA (acting Speaker), H. 2001, p. 203.

That an amendment providing that "any excise imposed on the sale of cigarettes in the commonwealth shall not exceed 50 cents per pack", was improperly before the House for the reason that it contradicted a provision added by amendment to the Bill relative to the enhancement of revenues in the Commonwealth, which may not be further amended at the same reading. HARKINS (acting Speaker), H. 2002, p. 1526.

That consolidated amendments funding certain collective bargaining agreements from the Clean Elections Fund, were not beyond the scope of the General Appropriation Bill, even though said fund is a fiduciary trust fund, since the powers of the General Court cannot be narrowed by placing restrictions on methods of appropriating funds. FINNERAN, H. 2002, pp. 1790-1791.

That an amendment making changes to the laws regulating driving under the influence of intoxicating liquors, was beyond the scope of a Bill providing for certain transportation improvements. CORREIA (acting Speaker), H. 2002, p. 1982.

That an amendment providing that juries consider assessing fault and damages to persons not wearing seatbelts at the time of an accident, was beyond the scope of a Bill establishing a primary seat belt law, PETROLATI (Speaker Pro Tempore), H.2006, p. 1138.

That an amendment to the General Laws further regulating the location of LNG import tankers and terminals, was beyond the scope of a Resolve providing for an investigation and study by a special commission relative to liquefied natural gas siting and use in the Commonwealth, PETROLATI (Speaker Pro Tempore), H.2006, p.1232.

That an amendment granting tax credits for the cost of home heating fuel, was beyond the scope of a Bill relative to green communities, DiMASI, H. 2007, p. 871.

That an amendment setting forth certain funds to reimburse cities and towns for unexpected costs incurred as a result of the presidential primary, was improperly before the House for the reason that, although it is appropriate to add provisos to bills, and notwithstanding rulings of previous Speakers regarding the expenditures of state money, the amendment would, in effect, pay for the municipal elections of 3 communities, and is therefore beyond the scope of the subject-matter before the House, PETROLATI (Speaker Pro Tempore), H. 2007, p. 897.

That amendments were improperly before the House for the reason that portions of the bill identified in said amendments had been stricken by a previous amendment, PETROLATI (Speaker Pro Tempore), H. 2008, p.1014.

A point of order that a substitute Bill to create an exemption for low-income seniors from Proposition 2 ½ overrides, for a bill with the same title, was improperly before the House because it went beyond the scope of the pending bill, was not well taken because the proposed substitute purports to do less than the pending bill, SCACCIA (acting Speaker), 2008, p. 1065.

Rule 74. [91.] This rule does not save the right to amend when a simple motion to strike out (*i.e.,* a motion not embracing a proposition to insert) has been made and rejected. Sanford, H. 1874, p. 499.

"A question containing two or more propositions capable of division." The question, "Shall this bill pass to be engrossed?" is not divisible. Thus, in passing to be engrossed a bill fixing certain salaries, the bill cannot be divided so as to allow the salary of each official to be voted on separately. WARDWELL (acting Speaker), H. 1881, p. 490.

"Strike out and insert." See NOYES, H. 1880, p. 60.

Rule 75. [92.] See note to Senate Rule 51.

APPEAL.

Rule 77. [94.] An appeal from the ruling of the Chair must be taken at once. The right to appeal is cut off by the intervention of other business. PHELPS, H. 1857, p. 907. See also CROCKER, S. 1883, p. 289.

Upon the question raised by an appeal, a motion for the previous question is in order. MYERS, H. 1903, pp. 965, 1064.

For a case where the Chair refused to entertain an appeal because the question had previously been decided by a ruling of the Chair, which was confirmed by a vote of the House and thereby had become the judgment of the House, see BLISS, H. 1853, p. 365.

It has been held that, pending an appeal from the decision of the Chair on a point of order, a motion to suspend the provisions of a standing order requiring the Speaker to declare an adjournment at a specific time is in order. See COX (acting Speaker), H. 1914, p. 652.

Rule 78. That resolves which affect state finances should be referred to the committee on Ways and Means, under Rule 33. McGEE, H. 1980, p. 1034.

REPRESENTATIVES CHAMBER AND ADJOINING ROOMS.

Rule 81. That the House was meeting in a formal session in violation of the requirement that all proceedings shall be televised. GIBSON (acting Speaker), H. 1985, p. 417; KEVERIAN, H. 1987, p. 1209.

QUORUM.

Rule 82. [105.] A vote of 82 to 21 does not necessarily indicate the lack of a quorum, but only that less than a quorum has voted. HULL, H. 1928, p. 964. [See Opinion of Attorney-General, 1892, Feb. 1, H. 1892, p. 118.]

PARLIAMENTARY PRACTICE.

Rule 85. [104.] That an order for a second legislative day was properly before the House since such an order was strictly a procedural matter similar to a motion to adjourn or to recess. McGEE, H. 1979, p. 1899.

Rule 86. [101.] It is not competent for the House on motion to suspend the principles of general parliamentary law. The House could not suspend the rule that the rejection of a motion to strike out precludes amendment, any more than it could suspend the rule requiring a majority of votes to pass a motion. SANFORD, H. 1874, p. 499.

NOTES OF RULINGS

ON THE

JOINT RULES

COMMITTEES.

Rule 1. (See "Sundry Rulings.") For a discussion as to the creation of joint committees, and their relation to the two branches, see HALE, H. 1859, p. 269. [Opinion of the Counsel to the House of Representatives as to whether members of the General Court on existing recess commissions retain their membership on said commissions who fail of re-election to the General Court. See House Journal, 1939, p. 129.]

The committees on Rules of the two branches, acting concurrently, do not constitute a joint standing committee. SALTONSTALL, H. 1930, p. 228.

Under authority of the last paragraph of this rule, the committees on Rules of the two branches, acting concurrently, may report, recommending changes in the joint rules which tend to facilitate the business of the legislature and such changes may be adopted on a majority vote of the two branches, even though the joint rules have been finally adopted for the life of a General Court. For an instance where this occurred, see S. J. 1926, pp. 687-688.

Amendment to a report of the committees on Rules offered from the floor ruled beyond scope of report and would require a two-thirds vote to adopt. MCGEE, H. 1976, p. 2209.

Rule 3. A delegation to represent the State, composed not only of members of the Legislature, but also of State officers, is not a joint committee within the meaning of this rule. BATES, H. 1898, p. 1068.

Rule 5. Under this rule a motion to recommit, made at a date later than that fixed in the rule, is out of order. BARRETT, H. 1891, pp. 866, 983.

This rule does not apply to a motion to recommit to a House committee. CUSHING (acting Speaker), H. 1911, p. 902. Nor does it apply to reports of the committees on Rules of the two branches, acting concurrently. SALTONSTALL, H. 1930, p. 228.

When a bill is declared to be broader in its scope than the subject-matter on which it was based, the subject-matter may be recommitted. BARRETT, H. 1892, p. 724; MYERS, H. 1900, p. 706; HULL, H. 1926,

p. 862; SALTONSTALL, H. 1930, p. 397. See notes to Senate Rule 46. [See change in this rule adopted in 1953 which provides that a bill or resolve declared to be broader in its scope than the subject-matter upon which it is based shall be recommitted to the committee.]

Rule 7. *"Or other legislation."* Prior to 1891 this phrase was "*other special legislation*," and special legislation was held to be that which directly affects individuals as such differently from the class to which they belong or from the people at large. PILLSBURY, S. 1885, pp. 588, 589.

It is the province of the committee, and not of the Speaker, to determine whether the purpose for which the legislation is sought can be secured without detriment to the public interest by a general law. MYERS, H. 1901, p. 1048; WARNER, H. 1919, p. 945. See also WALKER, H. 1910, p. 660.

See notes to Senate Rule 16 and to House Rule 30.

Rule 7B. A petition taken from the files of the preceding year is subject to the provisions of this rule, even though the rule had been complied with in respect to the preceding session. HULL, H. 1928, p. 219.

A bill relative to appropriations for school purposes in the city of Boston should have had the approval of the mayor and city council to comply with the last paragraph of Joint Rule 7B. WILLIS, H. 1948, p. 724. [In 1967 this rule was changed from one relating to requiring local approval on certain matters concerning cities, towns and counties, to one relating to home rule requirements under Article LXXXIX of the Amendments to the Constitution.]

NOTICE TO PARTIES INTERESTED.

Rule 8. See notes to Senate Rule 15 and House Rule 31. For a case in which it was unsuccessfully claimed that a bill, though general in its terms, was in fact special in its operation, and that therefore notice to parties interested should have been given, see WALKER, H. 1910, p. 1211.

A bill may be laid aside on the ground that it is in violation of this rule after it has passed through one branch. BISHOP, S. 1882, p. 307.

A bill which is offered as a substitute for a report of a committee must be germane to the subject referred to the committee. JEWELL, H. 1871, p. 342.

It is sufficient if the petition bears the certificate of the Secretary of the Commonwealth that the required publication has been made. It is not necessary to state in detail in the publication all the provisions of the legislation desired. BARRETT, H. 1892, p. 995.

It is not within the province of the Speaker, but within the province of the committee, to determine whether a petition has been properly advertised. BARRETT, H. 1892, p. 1160; WALKER, H. 1910, p. 1471. See also CUSHING H. 1912, p. 1720.

"No legislation." Prior to 1890 the phraseology was *"no bill or resolve,"* and under that phraseology it was held that an order that a committee investigate the management and condition of a certain society and report what legislation is necessary was within the operation of the rule, because any bill or resolve embodying the conclusions of such investigation would be within the scope of the rule. BRUCE, S. 1884, p. 580. *Contra*, see PILLSBURY, S. 1885, p. 580.

A bill to incorporate the Boston Railroad Holding Company was held not to be such legislation as that described in this rule. TREADWAY, S. 1909, p. 1034. See also WALKER, H. 1911, p. 1800; WILLIS, H. 1948, p. 1215.

"Except by a petition." Prior to 1890 the words *"by amendment or otherwise"* were also used. For an instance in which under that form of the rule an amendment was held to be barred by the rule, see BISHOP, S. 1880, p. 333. For an instance in which an amendment proposing a new treatment of a subject already in the bill, and not the introduction of a new subject into the bill, was held not to be barred by the rule, see BISHOP, S. 1881, p. 384.

For an instance in which it was held that a communication from the Governor transmitting a subject-matter for legislation is, for the purposes of legislation, to be considered in the light of a message from him, and is entitled to the same consideration that such a message would have, and that a bill reported upon said communication is not in violation of this rule, see MYERS, H. 1901, p. 1048.

Also that recommendations for legislation contained in a special report submitted to the General Court by a board or commission duly constituted by law are not in violation of this rule. YOUNG, H. 1922, p. 201.

Prior to 1890 the following words were used: — *"Except by a report of a committee on petition duly presented and referred,"* and under this form of the rule various rulings were made. For cases in which a bill was ruled out, see LONG, H. 1878, pp. 116, 120; COGSWELL, S. 1878, p. 178; NOYES, H. 1888, p. 479. For a case in which it was held that the words "duly presented" did not require compliance with the provisions of chapter 2 of the Public Statutes in regard to notice; that those provisions were mandatory only to the petitioner, and that the Legislature might, if it saw fit, hear the petitioner, notwithstanding his failure to comply with the law, see MARDEN, H. 1883, p. 533. See also NOYES, H. 1882, p. 90.

"Objection to the violation of this rule may be taken at any stage prior to that of the third reading." For a case which arose prior to the insertion of these words, see DEWEY (acting Speaker), H. 1877, p. 463.

Rule 9. This rule does not apply to a message from the Governor or to recommendations contained in a report of a commission. COLE, H. 1907, p. 976; TREADWAY, S. 1909, p. 1034; WALKER, H. 1911, p. 1800.

For instances in which bills under this rule were referred to the next General Court, see COLE, H. 1907, p. 1064; CALVIN COOLIDGE, S. 1915, p. 894.

A motion to substitute a bill for a report "reference to the next annual session" (for the reason that the requirements of this rule had not been complied with) is not in order, unless the rule is first suspended. NICHOLSON, S. 1947, p. 1015. See also VALENTINE (acting Speaker), H. 1947, p. 1374; OLSON (acting President), S. 1951, p. 1270.

As to the form and evidence of publication, see notes to Joint Rule 8.

For a case in which a bill was held not to be special, but to be general and therefore not subject to the provisions of this rule, see WALKER, H. 1910, p. 1212. See also CUSHING, H. 1913, p. 1664.

The provisions of the Revised Laws, chapter 3, which are referred to in this rule, are mandatory only to the petitioner, and the General Court may hear the petitioner notwithstanding his failure to comply with the law. MYERS, H. 1902, p. 268; SKERRY, H. 1957, p. 2122.

A bill reported on a petition properly filed under the provisions of Section 5 of Chapter 3 of the General Laws is subject to amendment the same as any other bill. WRAGG, S. 1938, p. 436.

Under this rule it was held that a petition to establish the boundary line in tidewaters between two towns, involving the taking of land from one town and the annexing of it to the other, is, in effect, a petition to divide an existing town; and, since no publication of notice, as required by law, had been made and the rule had not been suspended, a bill reported upon such a petition was improperly before the House. MEYER, H. 1896, p. 947.

This rule having been concurrently suspended with reference to a petition before its reference to a committee, and the committee having reported "leave to withdraw," it was held that the rule was no longer operative on the subject-matter of the petition, and that a bill could be substituted for the report of the committee. DANA, S. 1906, p. 748.

Bills reported to the House in violation of this rule, and there passed to be engrossed and sent to the Senate for concurrence, referred to the next General Court in compliance with this rule. DANA, S. 1906, p. 712; CHAPPLE, S. 1907, pp. 898, 978; HOLMES, S. 1957, p. 1510.

A bill having been passed to be engrossed by the Senate and by the House, it was held that it was too late to raise the point of order that said bill came within the provisions of this rule. CUSHING, H. 1913, pp. 1941, 1959.

For the case of a bill which was held not to come within the provisions of this rule, see BATES, H. 1899, pp. 1036, 1061.

LIMIT OF TIME ALLOWED FOR REPORTS OF COMMITTEES.

Rule 10. If after the date fixed for final report a committee reports a bill, such bill must be laid aside. NOYES, H. 1888, p. 832; BARRETT, H. 1889, p. 897 and H. 1893, p. 706; COX, H. 1917, p. 641. So also a report of leave to withdraw will be laid aside. MEYER, H. 1895, p. 920. See also COX, H. 1915, p. 865.

After a bill has been substituted for an adverse report, it is too late to raise the point of order that the report was not made within the limit fixed by this rule. UNDERHILL (acting Speaker), H. 1911, p. 1791; HULL, H. 1926, p. 862.

General orders extending the time for reports of joint committees apply to these committees no less when sitting jointly than when sitting separately. MYERS, H. 1901, p. 1047.

That certain petitions pending before the committee on State Administration should be placed on the House Calendar with an adverse report (under Joint Rule 10). MCGEE, H. 1980, p. 733 (2).

That all matters not reported by joint committees by the fourth Wednesday of April should be placed on the House Calendar with an adverse report (under Joint Rule 10) for the reason that any orders extending the time for committees to report should be adopted prior to that date. MCGEE, H. 1980, p. 733. [Decision of the Chair sustained.]

COMMITTEES OF CONFERENCE.

Rule 11. It seems that any difference between the two branches can be submitted to a committee of conference. PILLSBURY, S. 1886, p. 702.

It seems that, although committees of conference must represent the vote of each branch, a fair interpretation of this rule, where the vote was not unanimous, would permit the appointment of two members from each branch representing the majority and the third the minority. COTTON, S. 1939, p. 1292.

That the Speaker had complied with the provisions of the rule requiring committees of conference to represent the vote of each branch, when the question before the committee was Senate amendments in which the House had non-concurred. SKERRY, H. 1955, p. 2215.

For a discussion of a situation in which, although the disagreement had been prolonged to the point where each branch had twice affirmed its position, neither branch asked for a committee of conference, see HALE, H. 1859, p. 116.

That which has been agreed to by both branches cannot be disturbed by a committee of conference. MYERS, H. 1900, p. 1403; O'NEILL, H. 1951, p. 2410; KEVERIAN (acting Speaker), H. 1977, p. 1573; FLAHERTY, H. 1996, p. 1771.

That a report of the committee of conference was improperly before the House for the reason that said committee has exceeded the total cost of the House and Senate versions of the capital outlay program. MCGEE, H. 1983, p. 1941.

It is competent for a committee of conference to report such change in the sections or portions not agreed to as is germane to those sections. BISHOP, S. 1882, p. 391.

The reception of a report of a committee of conference discharges the committee, even though the report is subsequently ruled out as beyond the scope of the reference, and the matters of difference may be referred to a new committee of conference. MYERS, H. 1900, p. 1463.

A question on concurring with the House in the appointment of a new committee of conference comes properly before the Senate even though the Senate has previously refused a motion for said committee. NICHOLSON, S. 1947, p. 1256.

A report of a committee of conference was laid aside on a point of order, for the reason that it recommended substitution of a new bill (special) for the bill (general) with respect to which the disagreement occurred. SALTONSTALL, H. 1931, p. 910.

That a report of a committee of conference on the General Appropriations Act was improperly before the House for the reason that said report contained language not referred to the conference committee. MCGEE, H. 1979, p. 210; H. 1980, p. 1188; H. 1984, pp. 1126, 1127; FLAHERTY, H. 1992, p. 85.

That a point of order relative to a report of a committee of conference with reference to certain amendments to the General Appropriations Act was not seasonably raised. MCGEE, H. 1980, p. 1189. [Decision of the Chair sustained.]

For warrant for departing, in connection with appropriation bills, from the usual procedure in respect to reports of committees of conference, and entertaining a motion for appointment of a further committee of conference on items on which the first committee had failed to agree, see CAHILL, H. 1937, p. 846.

For an instance where a new committee of conference had amended a part of the bill not in disagreement. BARTLEY, H. 1975, p. 2093.

For statement relative to representation on a committee of conference, see POWERS, S. 1962, p. 1569.

That a report of a committee of conference on a special appropriation bill was *"in part"* and that the committee could continue to deliberate upon the matters still in disagreement and report their recommendations at a future time. DiCarlo (acting President), S. 1975, p. 1961.

For statement relative to NOT allowing motion to recommit conference committee report because committee is discharged after report, see DiCarlo (acting President), S. 1976, p. 1537.

See paper on conference committee reports as to amendments, etc., by Norman L. Pidgeon, Advisor to Senate, S. 1976, p. 1940.

See "Sundry Rulings" (Courtesy between the Branches).

Rule 11A. That a report of the committee of conference on the General Appropriation Bill was improperly before the House for the reason that detailed information relative to the differences between the two branches was not made available. McGee, H. 1984, pp. 1125, 1126.

That an amendment to a motion for the appointment of a committee of conference on the General Appropriation Bill was improperly before the House for the reason that it would constitute an improper interference into the internal workings of a committee. Flaherty, H. 1994, p. 742.

Rule 11B. That a report of a committee on conference on the restructuring of the electric utility industry had been filed one calendar day prior to its consideration by the Senate. Birmingham, S. 1997, p. 1209.

LIMIT OF TIME ALLOWED FOR NEW BUSINESS.

Rule 12. This rule does not exclude matters of privilege. They may be considered whenever they arise. Pillsbury, S. 1885, p. 583; Barrett, H. 1890, p. 1259.

"All other subjects of legislation." See Long, H. 1878, p. 572; Brackett, H. 1885, p. 354.

An order which is merely incidental to a subject of legislation before the House is not within the scope of this rule. Marden, H. 1883, p. 311.

"Deposited with the Clerk of either branch." In 1891 these words were substituted for the words *"Proposed or introduced,"* previously used. Under the rule as it stood prior to 1891, it was twice ruled that matter referred by one General Court to the next, when called up in the General Court to which it is so referred, must be considered as the introduction of a new business within the intent to this rule. In both cases the bill in question related to the compensation of members of the Legislature, and in both cases, on appeal, the decision of the Chair was reversed. Long, H. 1877, pp. 466-473; Crocker, S. 1883, pp. 521, 578.

"Shall, when presented, be referred to the next General Court." Under this rule, before the words "when presented" were inserted, in a

case where a bill had passed to a third reading, it was held that it was then too late to secure its reference to the next General Court under the rule. DEWEY (acting Speaker), H. 1877, p. 463. See also WADE, H. 1879, p. 540.

For a case arising under a somewhat similar rule, see JEWELL, H. 1868, p. 591.

After the House had debated an order several times and had once adopted it, it was held too late to raise the point that the order came within the scope of this rule. BRACKETT, H. 1885, p. 354.

"This rule shall not be . . . suspended except by a concurrent vote." Pending the question on concurring in the suspension of this rule to admit a petition, it has been held not to be in order to move to lay the petition upon the table. NOYES, H. 1888, p. 260.

That a petition relative to reforming the charter of the city of Boston has properly been referred to the committee on Local Affairs and was not subject to the provisions of Joint Rule 12. MCGEE, H. 1977, p. 16.

Introduced "On Leave" for statement, see DONAHUE, S. 1967, p. 623.

PRINTING AND DISTRIBUTION OF DOCUMENTS.

Rule 21. A resolve, not an order, should be the form used to provide for printing a document not for the use of the Legislature, and involving the expenditure of public money. LONG, H. 1878, p. 58; NOYES, H. 1880, p. 123.

The House can by its vote alone order documents printed for the use of the House. MEYER, H. 1894, p. 397.

LEGISLATIVE AMENDMENTS TO THE CONSTITUTION.

Rule 23. A proposal for a legislative amendment to the Constitution cannot be introduced by substitution for an adverse report of a committee on a petition calling for an amendment of the General Laws. ARTHUR W. COOLIDGE, S. 1946, p. 677.

That an amendment to an order calling for a joint session of the two houses could not be entertained for the reason that if it was adopted it would result in amending a proposal for a legislative amendment to the Constitution other than in a joint session. SKERRY, H. 1955, p. 1285.

JOINT CONVENTIONS.

Rule 25. An order having been adopted by the Senate for a joint convention to receive a communication from the Governor, the Chair refused to entertain a motion to reconsider the adoption thereof for the reason that the time stated in the order for the joint convention to be held had expired. HOLMES (acting President), S. 1955, p. 1576.

Rule 26. Can a committee reference made (rightly or wrongly) in a joint convention be modified subsequently by concurrent action of the two branches? SALTONSTALL, H. 1934, p. 500.

It is not competent for a convention, called for the purpose of receiving "such communication as His Excellency the Governor may be pleased to make," to refer any matter to a committee of either or both branches. MORAN (in *joint session*), S. 1936, p. 529, and H. 1936, p. 695.

A motion to commit may be made while a motion to reconsider is pending. SKERRY (*presiding in joint session*), S. 1956, p. 919; H. 1956, p. 1421.

SPECIAL SESSIONS.

Rule 26A. As to methods of providing for assembling in special session, see OPINION OF JUSTICES, H. 1936, p. 1461; H. 1939, p. 1853.

For ruling on calling special sessions during regular session of General Court, see KEVIN B. HARRINGTON, S. 1976, pp. 1859-1860.

JOINT ELECTIONS.

Rule 27. Pending the question on adopting an order that the joint convention proceed to the election of an Attorney-General to fill a vacancy, and a nomination having been made and seconded for said office, it was ruled that nominations were in order pending the adoption of the order. HOLMES (*in joint session*), S. 1958, p. 1355; H. 1958, p. 1860.

REFERENCES TO THE COMMITTEES ON RULES.

Rule 29. If the committees on Rules of the two branches, acting concurrently, are discharged from the consideration of a petition, and another committee reports on that petition a resolve subject to this rule, that resolve (even though it be the resolve originally accompanying the petition), should be referred to said committees, acting concurrently. SALTONSTALL, H. 1930, p. 622.

Rule 30. The committees on Rules of the two branches, acting concurrently, had recommended that extension of the time within which joint committees are required to report be granted. Under provisions of this rule, a majority vote is required for the adoption of the order. BULGER, S. 1988, p. 604.

SUNDRY RULINGS.

WHAT CONSTITUTES A PETITION.

In a case in which a petition was accompanied by a statement of reasons in its support, it was held that such statement did not affect the scope of the petition. CUSHING, H. 1912, p. 1796.

When the rules require that legislation shall be based upon petition, the petition determines the scope of legislation. A bill filed with the petition does not enlarge the scope of the petition unless the petition contains phraseology which makes the bill a part of it. BUTLER, S. 1894, p. 940; JONES, S. 1903, p. 491. Neither does a bill curtail the scope of the petition which it accompanies. BATES, H. 1899, pp. 1036, 1061.

On a point of order that an amendment of a certain document could not be entertained because the petition, which had been considered and reported upon by the committee, was not in fact a prayer for legislation, but was merely a recital of alleged grievances, it was ruled that, inasmuch as the petition had been passed upon by both Houses and had been referred to a committee and had been considered and reported upon by that committee, it was essentially a prayer for legislation, and that the point of order was NOT well taken. WELLINGTON WELLS, S. 1926, p. 487.

COMMITTEES AND COMMISSIONS.

Committees must confine their report to the subject referred to them. For sundry cases in which the point of order has been raised that this principle has been violated, see indexes to the Senate Journals under "Order, Questions of" and appendices to House Journals under the titles "Questions of Order," and "Order, Points of." A list of the cases which arose prior to 1902 may be found in the Manual of the General Court for that year. See also H. 1908, p. 1359.

A report of a committee made without authority cannot be considered. BARRETT, H. 1892, p. 877.

A report adopted at a duly notified meeting of a committee, a quorum being present, was held to be a valid report of the committee, although an unsigned memorandum was written on the report to the effect that certain members, constituting a majority of the committee, dissented. BOARDMAN, S. 1888, p. 378.

It is not within the province of the chair upon a point of order to inquire into the internal workings of a committee with a view to determining whether the subject-matter in question has been properly considered by such committee. BARRETT, H. 1891, p. 1127; JONES, S. 1903,

p. 457; GREENWOOD, S. 1913, p. 1154; WRAGG, S. 1938, p. 938; HOLMES (acting President), S. 1941, p. 1721; HUNT, S. 1943, p. 861; SKERRY, H. 1956, p. 408; KEVERIAN, H. 1987, p. 35.

When a report is received, the committee's duties as to the matter reported on are ended, and they can make no further report upon it unless the subject is recommitted to them by vote of the assembly. CROCKER, S. 1883, pp. 489, 576; MARDEN, H. 1883, pp. 529, 669; BARRETT, H. 1891, p. 789.

The reception of a report discharges the committee, even though the report is subsequently ruled out as beyond the scope of the reference. MYERS, H. 1900, p. 1463. For recommittal of subject-matter, see notes to Joint Rule 5.

Where a committee has referred to it several petitions on the same subject, or various papers involving either directly or remotely the same subject, whether simply or connected with other things, and the committee has once considered and reported upon any one subject involved in them, it has entirely exhausted its authority over that subject.

After such report has been once made, the subject passes beyond the control of the committee and becomes the property of the House.

Any papers left in the hands of the committee which may indirectly involve the same subject must be treated as if that question was not in them. It seems not to be within the power of a committee to withhold mention of any particular petition, report or other paper, and thus retain possession of a subject once reported upon as a basis for a new action and a new report.

General considerations support strongly this view. It is a maxim of jurisprudence that it is for the public advantage that strifes should come to an end. It is equally for the public interest that contentions in what our fathers called the Great and General Court should be settled once and for all. Many persons have a deep interest in the matters heard before committees. They appear in person or by counsel; and when the subject is, by report of the committee, brought before the Legislature, they appear to influence the action of members, as they have the right to do. When the matter is once disposed of, they depart, and suppose they may do so in safety. They have a right to believe their interests no longer require their presence. But if a committee may revive questions once reported upon and settled, there will never be rest. JEWELL, H. 1870, p. 480. See also NOYES, H. 1888, p. 584; SPRAGUE, S. 1891, p. 516; BARRETT, H. 1891, p. 790.

A joint committee having voted two weeks previously to report on a matter referred to it and the papers having been entrusted to a member of the committee to report, and that member having failed to make report and also having refused, upon repeated requests, to file the report or to surrender the papers, it would be competent under the circumstances for the chairman, on the request of the committee, to file the report without the original papers. Young, H. 1922, p. 757.

Every report should conclude with some substantive proposition for the consideration of the assembly, such as, that a bill, resolve, order or resolution ought or ought not to pass, that the petitioners have leave to withdraw, etc., etc.

If a report recommends the passage of a bill or resolve, action is had upon the bill or resolve alone, and it takes its several readings, or is otherwise disposed of, as to the assembly seems fit. In such cases nothing is done about "accepting" the report. The statement of facts and arguments embodied in the report in support of the recommendation of the committee is not accepted or adopted, . . . and the assembly, by passing the bill or resolve, does not endorse that statement of fact or argument any more than, when it passes a vote, it endorses every speech made in support of the motion.

What is true of a report recommending the passage of a bill or resolve is equally true of a report recommending the passage of a resolution or order, reference to another committee or to the next annual session or any other action. The substantive proposition of the report is the motion, as it were, of the committee, and that proposition alone is before the assembly for its action. The preliminary statement of facts and of opinions contained in reports in the usual forms is not before the assembly for its action, and therefore cannot be amended. If, however, the proposition of a report is that its statement of facts and of opinions should be endorsed and adopted by the assembly itself, then and then only such statement would properly be before the assembly, and might be amended or otherwise acted upon. CROCKER, S. 1883, pp. 489, 576; BARRETT, H. 1890, p. 1254.

Whatever the proposition of the report is, the question should be so framed as to embody that proposition in distinct terms. The ordinary form of putting the question, namely, "Shall this report be accepted?" is inaccurate, ambiguous, misleading, and ought to be abolished. CROCKER, S. 1883, pp. 489, 576.

If a committee report in part only, its report should expressly state that it is "in part" and should clearly define what portion of the subject-matter committed to it is covered by the report. The use of the words "in part" is, however, not essential. If the committee intended to report in part only, and the phraseology of its report is consistent with such intent, its report will be treated as a report in part. CROCKER, S. 1883, p. 86; BARRETT, H. 1889, p. 843. See also SPRAGUE, S. 1891, p. 711.

When a committee reports only in part, a motion to substitute a bill which is germane to another part of the subject-matter referred to the committee is not in order. WALKER, H. 1909, p. 1245; BARTLEY, H. 1971, p. 1921 (2); MCGEE, H. 1975, p. 2463.

An order calling for the committee on Ways and Means to report revenue estimates for a fiscal year was ruled out of order because the committee reported out a bill only in part and thus amendments must be germane to that portion of the subject which is reported on. BULGER, S. 1984, p. 530.

A committee to which a report of a commission has been referred should make separate reports on the various subjects on which legislation is specially suggested, and a final report, — "no further legislation necessary." In a case, however, where a committee reported a bill on one only of several subjects, deeming that legislation on the other subjects was inexpedient, and plainly indicated that its report was intended to be a report in full, it was held that any amendment within the scope of the matter referred to the committee was admissible, though such amendment might not be germane to the subject-matter covered by the reported bill. Otherwise the committee would possess the power to bury by its own action, and without the power of revision, the issues referred to it. BARRETT, H. 1889, p. 842.

A committee to which the report of a commission has been referred may report a bill on the subject covered by the report of the commission, although such report omits to recommend legislation. NOYES, H. 1888, p. 670. But see HARTWELL, S. 1889, p. 733. See also SPRAGUE, S. 1891, p. 514.

There is no rule or statute that makes mandatory upon a committee the holding of a public hearing. It has always been a matter of discretion and the custom has been invariably to do so. WILLIS, H. 1948, p. 1215.

As to what legislation can be based on the reference to a committee of a report of a commission or board of trustees, see JEWELL, H. 1870, p. 478; NOYES, H. 1888, p. 670.

As to the scope of the report of a commission within which bills may be reported or amendments thereto moved, see SALTONSTALL, H. 1930, p. 765.

It is not necessary, however, that a bill should include all of the subject-matter considered by the committee. See WELLINGTON WELLS, S. 1928, p. 709; DOLAN, S. 1949, p. 497.

As to whether the same subject may be referred to two committees, see SANFORD, H. 1872, p. 419. It seems that such action would conflict with the principle of parliamentary law, that no bill or measure shall be twice passed upon in the same session. See BUTLER, S. 1894, p. 730. A recommendation of His Excellency the Governor having been referred to a joint committee, and a bill covering the same subject-matter having been referred to another joint committee, the Speaker, on a point of order raised when the latter committee reported, held that it was not within the province of the Chair to question the propriety of the consideration by a committee of a subject referred to it. FROTHINGHAM, H. 1904, p. 349.

If a bill reported by one committee is referred to another committee, the latter committee is not limited to the scope of the bill referred to it, but may report any measure within the scope of the propositions upon which the original bill was based. BUTLER, S. 1894, p. 920; LAWRENCE, S. 1897, p. 763.

If the report of a committee is ruled out as beyond the scope of the reference, the subject-matter of the reference is still before the House for its action. MYERS, H. 1900, p. 1463; WALKER, H. 1909, p. 844; UNDERHILL (acting Speaker), H. 1911, p. 1816.

A bill prohibiting the sale of intoxicating liquors was held not to be germane to a petition asking that the sale of malt and spirituous liquors be prohibited, for the reason that, as appears from 2 Gray 502, there are intoxicating liquors other than malt and spirituous liquors. BARRETT, H. 1892, p. 730.

In determining the scope of an application for legislation, it should be construed liberally; but the Chair is, at the same time, held to secure an observance of the rules made for obtaining well-considered legislation, and to the end that all citizens of the Commonwealth shall have full notice of matters brought before the Legislature affecting their interests. PILLSBURY, S. 1886, p. 703; BOARDMAN, S. 1888, p. 352; NOYES, H. 1888, p. 700; SPRAGUE, S. 1890, pp. 405, 886; TREADWAY, S. 1911, p. 1536.

For a case in which the scope of an order was construed liberally, see BARRETT, H. 1890, p. 1259.

A committee can report a larger sum than that named in the resolve referred to it. PILLSBURY, S. 1886, p. 700.

As the greater includes the less, it is a general rule that a bill will not be ruled out because it does not cover all the objects embraced in the order. PILLSBURY, S. 1886, p. 395; PINKERTON, S. 1892, p. 428. See also SOULE, S. 1901, p. 1049; COLE, H. 1908, p. 1005.

On a petition for general legislation it is not permissible to report a special bill. MARDEN, H. 1884, p. 450; FROTHINGHAM, H. 1904, p. 806 and H. 1905, p. 272; WALKER, H. 1909, p. 844 and H. 1910, p. 1255; CUSHING, H. 1914, p. 1322; WARNER, H. 1919, p. 546. See also COLE, H. 1908, p. 1005.

Also a report, leave to withdraw, on a petition which asks for general or special legislation, may be amended by the substitution of a general or a special bill. CUSHING, H. 1914, p. 1336.

When a bill for a rearrangement of the congressional districts was reported by a committee, under an order that directed that the districts as rearranged should conform to the districts as then established as closely as the lines of the existing wards and precincts of the city of Boston would conveniently admit, it was held that the Chair could not attempt to decide whether the lines of the proposed new districts conformed as closely to the lines of existing wards and precincts as convenience permitted, but that the committee was free to use its own judgment upon the question. LAWRENCE, S. 1896, p. 983; MEYER, H. 1896, p. 1211.

A message from the Governor transmitting a communication from a State commission calling the attention of the Legislature to a threatened abuse by a certain corporation, and suggesting that some appropriate action be taken, was held to be sufficiently broad in scope to permit a remedy of the threatened evil either by a general or by a special bill, or by both. MYERS, H. 1901, p. 1048.

If any part of a bill covers a matter not referred to the committee, or if a special bill is reported on a petition for general legislation, the whole bill must be withdrawn or excluded. It cannot be amended before it is received. SANFORD, H. 1872, pp. 422, 429 and H. 1875, p. 365; PILLSBURY, S. 1886, p. 702. *But such a bill may be recommitted.* See notes on Joint Rule 5.

Objection that a bill covers a matter not referred to the committee cannot be raised after action on the bill, by amendment, or by passing it to a third reading, or even after continued deliberation in regard to it. JEWELL, H. 1870, p. 477; SANFORD, H. 1874, p. 368; DEWEY (acting Speaker), H. 1877, p. 464; BRACKETT, H. 1886, p. 503; BARRETT, H. 1890, pp. 340, 1020 and H. 1891, p. 807; PINKERTON, S. 1892, p. 476 and S. 1893, pp. 387, 423; MEYER, H. 1894, p. 1248; BUTLER, S. 1895, p. 473; LAWRENCE, S. 1896, p. 941; ATTWILL (acting Speaker), H. 1898, p. 840; BATES, H. 1898, p. 940; SMITH, S. 1900, p. 660; NEWTON (acting Speaker), H. 1902, p. 479; DANA, S. 1906, p. 480; COLE, H. 1907, p. 976; CUSHING, H. 1914, pp. 400, 1777; COX, H. 1916, p. 1053; WRAGG, S. 1937, p. 896. See also NOYES, H. 1881, p. 480; WADE, H. 1879, p. 540.

After a bill has been ordered to a third reading it is too late to raise the point of order that the recommendations upon which the bill was based were not filed on or before the time required by the statutes. YOUNG, H. 1922, p. 438.

For a case in which, the question being on passing a resolve to be engrossed, it was held to be too late to raise the point of order that under the provisions of a statute (St. 1907, c. 520, §3) the petition should have been referred to the next General Court, see CURTISS (acting Speaker), H. 1909, p. 1121.

As to cases in which orders would be suitable, see LONG, H. 1878, p. 58.

A motion that several bills comprised in one report should be placed separately in the Orders of the Day is not in order before the report has been received and the bills read the first time. SANFORD, H. 1872, p. 404.

A motion to require the committee on Rules to report forthwith on a petition was ruled out of order for the reason that there was nothing in the records of the Senate to indicate that such a petition was before the committee. RICHARDSON, S. 1950, p. 1489.

[*For opinion of Attorney General on appointments to special Commissions by Governor, President of the Senate and Speaker of the House of Representatives, see H. J. June 29, 1973 — or House Document numbered 7097 of 1973.*]

That an Order directing a joint committee to hold a public hearing prior to a certain date was improperly before the House for the reason that it would violate the long established precedent of authorizing committees of the General Court to schedule public hearings. MCGEE, H. 1978, p. 123.

That an Order directing the House members of a joint committee to take certain action within the committee would be an improper interference into the internal workings of a joint committee by not allowing Senate members to partake in such action. MCGEE, H. 1978, p. 124.

QUESTIONS OF PRIVILEGE.

A resolution declaring vacant certain contested seats is a resolution of high privilege, and need not be supported by a petition. MEYER, H. 1894, pp. 1192, 1198.

COURTESY BETWEEN THE BRANCHES.

Where one branch has passed upon a matter and forwarded it to the other, the latter is, as a rule, bound to receive and act upon it. This does not, however, give the second branch the right to exceed the provisions contained in the bill coming from the first branch. For instances in which this principle was followed, see PHELPS, S. 1859, p. 325; BULLOCK, H. 1865, p. 492; SANFORD, H. 1872, p. 125 and H. 1874, p. 392; COGSWELL, S. 1877, p. 306; LONG, H. 1877, p. 426; BISHOP, S. 1880, p. 243; S. 1881, p. 384 and S. 1882, p. 307; MARDEN, H. 1883, p. 523; PILLSBURY, S. 1885, p. 582; SPRAGUE, S. 1890, pp. 317, 794; PINKERTON, S. 1893, p. 470; LAWRENCE, S. 1896, p. 1036; MYERS, H. 1902, p. 1287; HENRY G. WELLS, S. 1916, p. 605; BACON, S. 1932, p. 802; NICHOLSON (acting President), S. 1936, p. 1126; NICHOLSON, S. 1947, p. 1233. *For exceptions* see COGSWELL, S. 1877, p. 300; BISHOP, S. 1882, p. 307; MARDEN, H. 1883, p. 478; BARRETT, H. 1891, pp. 790-795; DANA, S.

1906, p. 712; CHAPPLE, S. 1907, pp. 898, 978; WELLINGTON WELLS, S. 1927, p. 530; BURGESS (acting Speaker), H. 1939, p. 1891.

One branch is not bound to entertain a matter from the other branch which has not been properly introduced in accordance with the rules. NICHOLSON, S. 1947, p. 1245.

It is not within the province of the Senate to question any action taken by a House committee in reporting a bill to that branch. ARTHUR W. COOLIDGE, S. 1945, p. 1061.

If a bill or an amendment, which is not germane to the subject-matter referred to a committee, comes to one branch from the other, such bill or amendment must be entertained out of courtesy to the branch from which it is received. MARDEN, H. 1884, p. 451; PINKERTON, S. 1893, p. 470; MEYER, H. 1894, pp. 466, 877; SMITH, S. 1899, p. 887; DANA, S. 1906, p. 982; O'NEILL, H. 1951, p. 1369; BARTLEY (acting Speaker), H. 1968, p. 2299; MCGEE, H. 1983, pp. 1274, 1275. But see MARDEN, H. 1883, p. 478.

A point of order having been raised that a committee hearing on a matter was not called by the chairman in accordance with practice and that a report had been made in the other branch before the matter was referred to the committee, it was ruled that inasmuch as the House had received the report and passed the bill to be engrossed, the Senate must receive it and act upon it out of courtesy to the other branch. HOLMES, S. 1958, p. 665.

A point of order having been raised that a certain section of a report of a committee of conference on a supplemental budget contained subject-matter which was not a part of the matters of difference between the two branches, it was held that where one branch has passed upon the matter and forwarded it to the other, the latter is, as a rule, bound to receive it and act upon it out of courtesy between the branches. BULGER, S. 1981, p. 1817. See also, BOVERINI (acting President), S. 1982, p. 1303; BULGER, S. 1988, pp. 903-904.

See notes to Senate Rule 54 and House Rule 49.

CONCURRENCE IN AMENDMENTS.

Where a bill passed in the House was sent to the Senate and there passed with an amendment, and was then returned to the House for concurrence in the amendment, it was held that the House might agree or disagree with the amendment, or it might agree after amending the amendment, or it might refer the question of agreeing to the amendment to a committee, or might lay the subject on the table, or defer action to some day certain, because all such motions are supposed to be not unfriendly in their nature, at least not decisive or destructive. On the other hand, a motion to postpone indefinitely the whole subject, or any motion which carries with it an original purpose of destruction to the bill, is not in order, because the two branches have already agreed to the bill as a whole, and such a motion would be irregular in itself, and in its parliamentary effects uncourteous towards the other branch of the Legislature. BULLOCK, H. 1865, appendix, p. 493.

The question on concurring in the adoption of certain House amendments to an engrossed bill, being under consideration, it was held that a motion to refer the bill to the next annual session could not be entertained at that stage of the bill. ALLEN, S. 1923, p. 764.

Where a bill which has been agreed to by both branches and is sent from one branch to the other for concurrence in certain amendments, and the second branch, in addition to acting on the amendments, amends other parts of the bill *de novo,* it has been held that such amendments were not properly before the first branch. MEYER, H. 1895, p. 906; MYERS, H. 1900, p. 1403; DOLAN, S. 1949, p. 1265; DONATO (acting Speaker), 2006, p. 1340.

One branch, in considering an amendment to its bill made by the other branch, may amend such amendment, but its amendment must be germane to the amendment submitted for concurrence. SMITH, S. 1900, p. 978; FARLEY (acting Speaker), H. 1894, p. 1403; COLE, H. 1906, p. 982; QUINN, H. 1967, p. 2653; FONSECA (acting President), S. 1973, p. 2040; BARTLEY, H. 1969, pp. 2502, 2702; H. 1974, p. 2490; H. 1975, p. 1315.

For a discussion as to proceedings in case of a disagreement between the two branches in relation to amendments, see HALE, H. 1859, p. 116.

For ruling on amendment offered to a bill, where the Governor had recommended the enactment "of the attached bill in its precise form —", see H. J. 1958, p. 1507; POWERS, S. 1959, p. 298; H. J. 1961, p. 1533. *Contra,* see DAVOREN, H. 1965, p. 2588.

That a motion to concur with the Senate in its amendments to a House bill with a further amendment (inserting a new section) was improperly before the House for the reason that the only question before the House was concurring with the Senate in its amendments and that the proposed amendment was not an item in disagreement between the two branches. MCGEE, H. 1977, p. 1435.

That a motion to concur with the Senate in its amendment to a House bill with a further amendment was improperly before the House for the reason that the further amendment sought to change wording in an item that had been previously agreed to by both branches. MCGEE, H. 1977, p. 1500.

A point of order was raised on a House Bill further regulating the holding of public offices in certain small towns that the pending bill had previously received three readings in the Senate and subsequently received three readings in the House with a minor change and therefore should be before the Senate for concurrence in the House amendment, and it should not be on the Senate Calendar for three more readings.

It was ruled that the amendment adopted by the House was in the form of a new draft and, as such, the new draft required three more readings in the Senate. It was also stated that the Senate had no control over how the House chose to amend a bill, or as to what method the House used; but, as a rule, the Senate was bound to act upon it in the form in which it was received. BULGER, S. 1983, p. 1082.

MOTION TO RESCIND.

For discussion of "motion to rescind" see Senate document numbered 1535 of 1972, by Norman L. Pidgeon, Senate Clerk and Parliamentarian.

STATE OFFICERS.

A member holding a State office may retain his seat as a member of the Senate. HUNT, S. 1942 (Extra Session), p. 21.

For discussion of removal of public officers by "impeachment" or "address" — see Senate document numbered 1535 of 1972, by Norman L. Pidgeon, Senate Clerk and Parliamentarian.

RULES GOVERNING JOINT SESSIONS OF THE TWO HOUSES TO CONSIDER INITIATIVE AMENDMENTS AND PROPOSALS FOR LEGISLATIVE AMENDMENTS TO THE CONSTITUTION.

[Adopted by the Senate and by the House of Representatives for the joint session held on May 14, 2003 and for any subsequent joint sessions which may be held.]

Rule A. After a Proposal for an Initiative Amendment has been read, the question shall then be on agreeing to the Amendment; whereupon it shall be open to debate and any motion provided for in special Rule F.

Rule A1. A proposal for a legislative amendment which has received the affirmative votes of a majority of all the members elected to the preceding General Court shall be read; whereupon it shall be open to debate, but may not be amended, and the question shall then be on agreeing to the amendment. A proposal for a legislative amendment which has not previously been agreed to in joint session of the two houses shall be read twice in immediate succession; and the question shall then be on ordering it to a third reading, whereupon it shall be open to debate and amendment.

Rule B. If it is ordered to a third reading, the proposal shall be read and considered at such subsequent joint session or joint sessions as may be agreed upon by the two houses or called by the Governor, in accordance with the provisions of the Constitution.

This rule may be suspended by a vote of four-fifths of the members of the joint session, present and voting thereon, in which case the proposal shall forthwith be read a third time; *provided, however,* that a motion to suspend the rule shall not be in order unless the committees on Bills in the Third Reading of the two houses, acting jointly, have examined the proposal and reported thereon in accordance with the provisions of Rule C.

Rule C. Before the proposal is read a third time, it shall be examined by the committees on Bills in the Third Reading of the two houses, acting jointly, and reported on by them in the manner provided in the standing rules of the Senate and of the House; provided, however, that a motion directing the committees on Bills in the Third Reading of the two houses, acting jointly, to report on a proposal which was ordered to a third reading at a prior joint session shall require a two-thirds vote of the members of the joint session present and voting thereon.

Rule D. After the third reading of the proposal, the question shall be on agreeing to the Amendment, whereupon it shall be open for debate or any motion provided for in special Rule F.

Rule E. If a Proposal for an Initiative Amendment is amended, before the question is taken on agreeing to the Proposal, it shall be examined by the committees on Bills in the Third Reading of the two houses, acting jointly, and reported on by them in the manner provided in the standing rules of the Senate and of the House.

Rule E1. Proposals which have not previously been agreed to in joint session and which are amended subsequently to their being ordered to a third reading, unless the amendment was reported by the committees on Bills in the Third Reading of the two houses, acting jointly, shall be referred forthwith to said committees and reported on by them in the manner provided in the standing rules of the Senate and of the House.

Rule F. When the main question is under debate the President shall receive no motion that does not relate to the same, except the motion to adjourn or some other motion which has precedence by express rule or because it is privileged in its nature; and he shall receive no motion relating to the same except: —

For the previous question;

To close debate at a specified time;

To postpone until the two houses meet again in joint session;

To commit (or recommit), with or without instructions, to a special committee of the joint session composed of members of both houses;

To amend (excepting during consideration by the second successive General Court);

Which several motions shall have precedence in the order here arranged.

No motion to reconsider a vote on a main question shall be entertained unless made on the same day on which the vote was taken; and if moved, shall be considered at the time it is made.

Rule G. The sense of the joint session shall be taken by yeas and nays whenever required by thirty-five of the members present.

Whenever the yeas and nays have been ordered, the names of the Senators shall be called first, in alphabetical order; and the yea and nay vote of the House membership shall be determined in accordance with the House rules, excepting that those members of the House who have not been recorded in the usual manner as provided under the rules of the

House may be recorded on a yea and nay list after the electric voting machine has been closed and before the final vote has been announced.

A pair with any member who is absent with a committee by authority of either or both houses may be announced, and shall be recorded, in the following manner:

If, before the question is taken, a member states that he has paired with another member who is absent with a committee by authority of the Senate or House, and how each would vote upon the pending question, the fact shall be entered in the Journals immediately after the record of the yeas and nays, and such member shall be excused from voting, but shall be included with the members voting for the purposes of a quorum; provided, however, nothing in this rule shall be construed as to permit pairing by a member on a question involving a required vote of two-thirds, three-fourths, four-fifths or a majority of a specified number of votes.

Rule H. It shall not be in order for the two houses to go into a Committee of the Whole when in joint session.

Rule I. If the two houses are in joint session ten minutes before the hour of meeting of either branch, the President shall declare an adjournment.

Rule J. The rules of the House of Representatives, including the last paragraph of House Rule 81, shall govern the proceedings in the joint sessions in all cases to which they are applicable, and in which they are not inconsistent with the provisions of Article XLVIII of the Amendments to the Constitution, or with these rules or amendments thereof, or with Joint Rules Nos. 23, 24, 25 or 26.

Rule K. It shall be in order to recess the convention from time to time upon a majority vote of said convention.

Rule L. Except as is otherwise provided in Rule B, Rules A to L, inclusive, may be altered, suspended or rescinded by concurrent votes of two-thirds of the members of each branch present and voting thereon in their respective branches.

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